

ESTTA Tracking number: **ESTTA831144**

Filing date: **07/05/2017**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91226432
Applicant	Plaintiff J. Crew Inc., J. Crew International, Inc.
Other Party	Defendant Thirty-One Gifts LLC
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

## Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 07/23/2017. J. Crew Inc., J. Crew International, Inc. requests that such date be extended for 90 days, or until 10/21/2017, and that all subsequent dates be reset accordingly.

Time to Answer :	10/21/2017
Deadline for Discovery Conference :	11/20/2017
Discovery Opens :	11/20/2017
Initial Disclosures Due :	12/20/2017
Expert Disclosure Due :	04/19/2018
Discovery Closes :	05/19/2018
Plaintiff's Pretrial Disclosures :	07/03/2018
Plaintiff's 30-day Trial Period Ends :	08/17/2018
Defendant's Pretrial Disclosures :	09/01/2018
Defendant's 30-day Trial Period Ends :	10/16/2018
Plaintiff's Rebuttal Disclosures :	10/31/2018
Plaintiff's 15-day Rebuttal Period Ends :	11/30/2018

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *The parties respectfully request a ninety (90) day extension of deadlines in order to allow time for the parties to try to finalize the settlement of this matter. Significant progress has been made toward a resolution of this matter. The parties have been negotiating the terms of a settlement agreement, and multiple drafts of the agreement have been exchanged. Since the last extension, Opposers' outside counsel completed their review of the most recent comments provided by Applicant to the draft agreement. Opposers' outside counsel then further revised the agreement, in light of those comments, and forwarded the revised draft agreement to Opposers' in-house counsel for review and consideration. Thereafter, Opposers' outside counsel and Opposers' in-house counsel discussed the revised agreement, and made further edits to the agreement. The revised agreement was then forwarded to Applicant's counsel for review. The additional time is requested for Applicant's counsel to review and consider the revised draft agreement, to confer with Applicant regarding the same, and for the parties to continue to negotiate the terms of the settle-*

*ment agreement. Outstanding issues relate to the use and registration of Applicant's mark. The parties note that they are committed to resolving this matter in a timely manner. Any agreement reached between the parties would resolve this matter without the need to proceed with the opposition proceeding. The parties also request that the proceedings be suspended pending disposition of this motion, to avoid the passing of deadlines.*

J. Crew Inc., J. Crew International, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

J. Crew Inc., J. Crew International, Inc. has provided an email address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

## **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/Maryann E. Licciardi/

Maryann E. Licciardi

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