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Filing date: **02/17/2017**

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

Proceeding	91227911
Party	Plaintiff Elite IT Partners, Inc.
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Submission	Motion to Extend
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Signature	//Brian J. Riddle//
Date	02/17/2017
Attachments	Elite IT Partners Motion for Extension of Discovery Deadline under TMBP 403.04.pdf(112986 bytes )

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

Elite IT Partners, Inc., a Utah corporation

Opposer

v.

1601054 Alberta Ltd., a numbered Alberta,  
Canada corporation

Applicant

**MOTION FOR EXTENSION OF  
DISCOVERY DEADLINE**

Opposition No.: 91227911

Application Serial No.: 86145088

Mark: ELITEPARTNER

**MOTION FOR EXTENSION OF DISCOVERY DEADLINE**

Pursuant to 37 CFR § 2.120(a)(3) and Trademark Trial and Appeal Board Manual of Procedure (TBMP) § 403.04, Elite IT Partners, Inc. (hereinafter “Opposer”), respectfully

requests that the Trademark Trial and Appeal Board (hereinafter “Board”) grant a limited extension of the deadline for fact discovery in this opposition until May 21, 2017 for the purposes of conducting necessary follow-up discovery. The current fact discovery cutoff is March 21, 2017.

This is the first extension of the discovery period requested by Opposer. Opposer has sought a stipulation for the extension from Applicant but received no final response.

Good cause exists for the requested extension. Opposer has diligently endeavored to conduct and complete all necessary discovery in this case. Opposer timely submitted written discovery requests to Applicant, but although the deadline has passed for response, Applicant has not yet produced the documents requested by Opposer. Applicant must have time to review the documents, once provided, and submit follow-up document requests 30-days prior to the close of discovery. Additionally, the responses provided for Applicant are insufficient. Finally, Applicant must have time to determine which deposition to take based on the documents produced and responses provided by Applicant. Without the requested extension, Opposer will be able to do so.

For the reasons set forth above, Opposer respectfully request that the Board grant a limited extension of the deadline for fact discovery in this matter, allowing the Parties up to and including May 21, 2017 to conclude needed discovery.

A proposed, updated opposition schedule is presented as follows:

Time to Answer:	07/26/2016 (CLOSED)
Deadline for Discovery Conference:	08/25/2016 (CLOSED)
Discovery Opens:	09/25/2016

Initial Disclosures Due:	10/24/2016
Expert Disclosure Due:	02/22/2017
Discovery Closes:	05/21/2017 (AS PROPOSED)
Opposer's Pretrial Disclosures:	07/07/2017 (AS PROPOSED)
Opposer's 30-day Trial Period Ends:	08/22/2017 (AS PROPOSED)
Applicant's Pretrial Disclosures:	09/06/2017 (AS PROPOSED)
Applicant's 30-day Trial Period Ends:	10/21/2017 (AS PROPOSED)
Opposer's Rebuttal Disclosures:	11/05/2017 (AS PROPOSED)
Opposer's 15-day Rebuttal Period Ends:	12/04/2017 (AS PROPOSED)

DATED: February 17, 2017

Fabian VanCott

//Brian J. Riddle//

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of **OPPOSER'S RESPONSES TO APPLICANT'S FIRST SET OF INTERROGATORIES** has been served on the following by delivering said copy on February 17, 2017 via electronic mail (email), to counsel for Applicant at the following address:

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DATED: February 21, 2017

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