

ESTTA Tracking number: **ESTTA845012**

Filing date: **09/11/2017**

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

Proceeding	91229648
Party	Defendant Jyve Corporation
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Submission	Stipulated/Consent Motion to Extend
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Signature	/Tyson D. Smith/
Date	09/11/2017
Attachments	Consent Motion to Extend DDLs.pdf(17493 bytes )

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

JIVE SOFTWARE, INC.,	§	
	§	
Opposer,	§	
	§	Opposition No. 91229648
v.	§	
	§	Serial No. 86/758,972
JYVE CORPORATION,	§	Mark: JYVE
	§	
Applicant.	§	

**APPLICANT’S CONSENT MOTION TO EXTEND INITIAL DISCLOSURES AND ALL  
SUBSEQUENT DEADLINES**

Applicant, Jyve Corporation and Opposer Jive Software, Inc., have agreed to a fourteen-day extension of all dates. Accordingly, Applicant files this Consent Motion requesting that the Board issue an order extending the initial disclosures deadline, currently set for September 10, 2017, by fourteen (14) days, and extending all subsequent deadlines by fourteen (14) days. The agreed extension will result in the following schedule:

Answer	CLOSED
Deadline for Discovery Conference	CLOSED
Discovery Opens	CLOSED
Initial Disclosures Due	September 24, 2017
Expert Disclosures Due	January 22, 2018
Discovery Closes	February 21, 2018
Plaintiff’s Pretrial Disclosures	April 7, 2018
Plaintiff’s 30-Day Trial Period Ends	May 22, 2018
Defendant’s Pretrial Disclosures	June 6, 2018
Defendant’s 30-Day Trial Period Ends	July 21, 2018
Plaintiff’s Rebuttal Disclosures	August 5, 2018
Plaintiff’s 15-day Rebuttal Period Ends	September 4, 2018
Plaintiff’s Opening Brief Due	November 3, 2018
Defendant’s Brief Due	December 3, 2018
Plaintiff’s Reply Brief Due	December 18, 2018
Request for Oral Hearing (optional) Due	December 28, 2018

The Board has required a status report in its September 6, 2017 order to accompany any future extension requests, such as this. The parties respond as follows, according to the Order's topics, below:

**1) Discovery taken to date**

The parties have not propounded any discovery.

**2) The issues that have been resolved**

The parties have reached an agreement regarding use of the parties' marks, proposed amendments to the description of goods/services in the applicant's application and a revision to the Applicant's design mark.

**3) The issues that remain to be resolved**

The remaining issue to be resolved relates to procedures for handling and or addressing purported future consumer confusion. The parties have negotiated a settlement agreement and have been diligently working to finalize the agreement.

**4) A proposed timetable for resolution of the remaining issues**

The parties aim to have an agreement reached within the next 14 days.

On September 11, 2017, counsel for Opposer, Kevin Hayes, provided consent to this motion. In light of the foregoing, the parties respectfully request the Board enter an order extending the deadlines (as outlined in the chart above) by fourteen (14) days.

Respectfully submitted,

Dated: September 11, 2017

*/Tyson D. Smith/*

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Sherril L. Eastley

Tyson D. Smith

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ATTORNEYS FOR APPLICANT

JYVE CORPORATION

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing APPLICANT'S CONSENT MOTION TO EXTEND INITIAL DISCLOSURES AND ALL SUBSEQUENT DEADLINES was served via email on September 11, 2017 on Opposer's attorney:

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*/Tyson D. Smith/*  
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