

ESTTA Tracking number: **ESTTA867973**

Filing date: **12/29/2017**

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

Proceeding.	91234715
Applicant	Plaintiff BIRDS EYE FOODS LLC
Other Party	Defendant Michael Hanson
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

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

The Close of Discovery is currently set to close on 01/29/2018. BIRDS EYE FOODS LLC requests that such date be extended for 60 days, or until 03/30/2018, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	02/28/2018
Discovery Closes :	03/30/2018
Plaintiff's Pretrial Disclosures :	05/14/2018
Plaintiff's 30-day Trial Period Ends :	06/28/2018
Defendant's Pretrial Disclosures :	07/13/2018
Defendant's 30-day Trial Period Ends :	08/27/2018
Plaintiff's Rebuttal Disclosures :	09/11/2018
Plaintiff's 15-day Rebuttal Period Ends :	10/11/2018

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*

BIRDS EYE FOODS LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

BIRDS EYE FOODS LLC 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,  
/Linda Monge Callaghan/  
Linda Monge Callaghan  
lcallaghan@fishstewip.com, tmdocketing@fishstewip.com  
dfindley@helsell.com, mpham@helsell.com  
12/29/2017