

ESTTA Tracking number: **ESTTA833428**

Filing date: **07/14/2017**

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

Proceeding	91234946
Party	Defendant Hex Performance, LLC
Correspondence Address	JAMES A. SHERIDAN SHERIDAN LAW, LLC 1600 JACKSON STREET SUITE 350 GOLDEN, CO 80401 Email: email@sheridanlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	James A. Sheridan
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Signature	/James A. Sheridan 43114/
Date	07/14/2017
Attachments	Stipulated-Consent-Motion-Ext-of-Time.pdf(63671 bytes)

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

Hain Celestial Canada, ULC)	
)	
Plaintiff,)	Proceeding No. 91234946
)	
)	Mark: LIVE CLEAN
)	
HEX Performance, LLC)	Serial. No.: 86/920,813
)	
Defendant.)	
_____)	

**STIPULATED CONSENT MOTION TO EXTEND TIME TO FILE APPLICANT’S ANSWER
TO DEFENDANT’S NOTICE OF OPPOSITION**

TO THE TRADEMARK TRIAL AND APPEAL BOARD:

Applicant, HEX Performance, LLC, through the undersigned attorney, hereby petitions for an extension of time to file Answer with the USPTO TTAB.

The current deadline to file Applicant’s answer is July 16, 2017.

It is respectfully requested that the current deadline be extended by 30 days.

Both parties have been in negotiations to resolve the opposition amicably by signing a concurrent use agreement. When and if the parties agree on the language of the concurrent use agreement, at that time the opposition should be resolved and withdrawn by the Plaintiff.

Therefore, the Defendant hereby requests an extension of time to file answer to opposition, in order to reach settlement with the Plaintiff. No party to this proceeding will be prejudiced by this short term 30-day adjournment request, and thus, it is respectfully requested that the current deadline be extended by 30 days.

STIPULATED CONSENT MOTION TO EXTEND TIME TO FILE APPLICANT'S ANSWER TO DEFENDANT'S NOTICE OF OPPOSITION

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Both parties are currently in settlement negotiations which will be finalized in the next few days. Thus, this extension is necessary to allow the parties to finalize a settlement of the opposition dispute.

Please re-set all the rest of the deadlines accordingly.

Dated: July 14, 2017

Respectfully submitted,

/James A. Sheridan 43114/

James A. Sheridan

Libby Huskey

SHERIDAN LAW LLC

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**ATTORNEYS FOR APPLICANT
HEX PERFORMANCE, LLC**

81058.0006

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2017, I served a true and correct copy of the foregoing **STIPULATED CONSENT MOTION TO EXTEND TIME TO FILE APPLICANT'S ANSWER TO DEFENDANT'S NOTICE OF OPPOSITION** by electronic mail and by U.S. mail, postage prepaid, and addressed to the following:

Denise Faltschek
The Hain-Celestial Group, Inc.
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Lake Success, New York 11041
IP@hain-celestial.com

/James A. Sheridan 43114/
JAMES A. SHERIDAN
SHERIDAN LAW LLC