

ESTTA Tracking number: **ESTTA1053116**

Filing date: **05/04/2020**

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

Proceeding	91239139
Party	Defendant 3 Square, Inc.
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Submission	Motion to Extend
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Signature	/Michael A. Grow/
Date	05/04/2020
Attachments	San Pasqual v. 3 Square - 91239139 and 94002916 - motion for extension without consent.pdf(205936 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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SAN PASQUAL CASINO DEVELOPMENT :  
GROUP, INC. :

Plaintiff :

v. : Opposition No. 91239139 (Parent)

3 SQUARE, INC., : Concurrent Use No. 94002916

Defendant :

**DEFENDANT’S MOTION FOR EXTENSION OF TIME  
WITHOUT CONSENT**

Defendant 3 Square, Inc. hereby moves that dates in the above referenced proceeding be extended 30 days and reset as follows:

Time to Answer	06/03/2020
Deadline for Discovery Conference	07/03/2020
Discovery Opens	07/03/2020
Initial Disclosures Due	08/02/2020
Expert Disclosures Due	11/30/2020
Discovery Closes	12/30/2020
Plaintiff’s Pretrial Disclosures Due	02/13/2021
Plaintiff’s 30-day Trial Period Ends	03/30/2021
Defendant’s Pretrial Disclosures Due	04/14/2021
Defendant’s 30-day Trial Period Ends	05/29/2021
Plaintiff’s Rebuttal Disclosures Due	06/13/2021
Plaintiff’s 15-day Rebuttal Period Ends	07/13/2021
Plaintiff’s Opening Brief Due	09/11/2021
Defendant’s Brief Due	10/11/2021
Plaintiff’s Reply Brief Due	10/26/2021
Request for Oral Hearing (optional) Due	11/05/2021

The additional time is needed due to the difficulty communicating during the current COVID-19 health emergency and the impact it has had on Defendant's business and similar food service establishments.

The parties have not held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2).

Date: May 4, 2020

3 SQUARE, INC.

By: /s/ Michael A. Grow

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### **CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the foregoing Motion For Extension Of Time Without Consent (re Opp. No. 91239139(parent) / Concurrent Use No. 94002916) is being served upon Plaintiff's counsel Hillary A Brooks of Brooks Quinn LLC at hillary@brooksquinn.com and docketing@brooksquinn.com on May 4, 2020.

/s/ Michael A. Grow