

ESTTA Tracking number: **ESTTA1078821**

Filing date: **08/31/2020**

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	08/31/2020
Attachments	San Pasqual v. 3 Square - 91239139 - Motion for Extension - 08-31-2020.docx.pdf(212355 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:

	Current Dates as Requested in 07/31/2020 Motion for Extension	Proposed Dates
Time to Answer	09/01/2020	10/01/2020
Deadline for Discovery Conference	10/01/2020	10/31/2020
Discovery Opens	10/01/2020	10/31/2020
Initial Disclosures Due	10/31/2020	11/30/2020
Expert Disclosures Due	02/28/2021	03/30/2021
Discovery Closes	03/30/2021	04/29/2021
Plaintiff’s Pretrial Disclosures Due	05/14/2021	06/14/2021
Plaintiff’s 30-day Trial Period Ends	06/28/2021	07/28/2021
Defendant’s Pretrial Disclosures Due	07/13/2021	08/12/2021
Defendant’s 30-day Trial Period Ends	07/28/2021	08/27/2021
Plaintiff’s Rebuttal Disclosures Due	09/11/2021	10/12/2021
Plaintiff’s 15-day Rebuttal Period Ends	10/11/2021	11/10/2021
Plaintiff’s Opening Brief Due	12/11/2021	01/10/2022
Defendant’s Brief Due	01/09/2022	02/08/2022
Plaintiff’s Reply Brief Due	01/24/2022	02/23/2022
Request for Oral Hearing (optional) Due	02/03/2022	03/05/2022

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. Because of the extent of the pandemic in Defendant's trading area and the uncertainty caused by the shutdown of businesses like those operated by Defendant, additional time is needed to formulate an answer.

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

Date: August 31, 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 August 31, 2020.

/s/ Michael A. Grow