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

Proceeding	91239643
Party	Plaintiff Clemson University, Clemson IPTAY Club
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Submission	Stipulated/Consent Motion to Extend
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Date	09/10/2020
Attachments	9-10-20 Consent Motion to Extend Schedule.pdf(151979 bytes)

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

CLEMSON UNIVERSITY
CLEMSON IPTAY CLUB

Opposers,

v.

TIGER RAGS, INC.,

Applicant.

Opposition No. 91/239,643

Serial No. 87/288,619

Mark: TIGER RAGS

**JOINT MOTION TO EXTEND AND RESET SCHEDULE
FOR SETTLEMENT**

Opposers Clemson University and Clemson IPTAY Club (“Opposers”) together with Applicant Tiger Rags, Inc., respectfully move the Trademark Trial and Appeal Board (“Board”) to issue an Order extending and resetting the schedule of this case, after taking into account and entering the schedule requested in the Motion to Correct Schedule (35 TTABVUE) and Order (39 TTABVUE at 2), the Parties request entry of an Order extending to the schedule of this matter for sixty (60) days to permit the parties to complete settlement discussions and previously requested depositions, if the settlement is not completed.

The grounds for this Motion are as follows:

On June 29, 2020, the Board issued an Order granting a suspension. 38 TTABVUE at 1. The Board set forth a condition that further extensions or suspensions should include a status report on the efforts made toward settlement during the previous suspension period. *Id.* at 2.

Since the filing of the Consented Motion to Suspend (37 TTABVUE), the parties have

continued to discuss settlement. The parties have engaged in several correspondences throughout June through August of 2020 regarding revisions to a formal settlement agreement that has been prepared and exchanged between the parties. Applicant provided Opposer with its position on the proposed the agreement and it appears that the parties are agreement on substantially all relevant terms. Additionally, Opposer's noticed the 30(b)(6) Deposition of Applicant and the individual deposition of its principal in an effort to complete discovery, but conducting the depositions and Applicant's responses in settlement discussions have been delayed because the decision maker for Applicant has experienced health issues and was hospitalized for a period of time. During the previous suspension, the parties have focused on settlement and believe an additional suspension will permit time for Applicant and its counsel to review Opposer's revisions to the formal settlement agreement and move this matter towards a resolution.

Accordingly, a sixty (60) day extension is requested, along with entry of the following schedule by the Board:

Discovery Closes	11/01/2020
Plaintiff's Pretrial Disclosures Due	12/16/2020
Plaintiff's 30-day Trial Period Ends	01/30/2021
Defendant's Pretrial Disclosures Due	02/14/2021
Defendant's 30-day Trial Period Ends	03/29/2021
Plaintiff's Rebuttal Disclosures Due	04/13/2021
Plaintiff's 15-day Rebuttal Period Ends	05/13/2021
Plaintiff's Opening Brief Due	07/11/2021

Defendant's Brief Due	08/13/2021
Plaintiff's Reply Brief Due	08/28/2021
Request for Oral Hearing (optional) Due	09/07/2021

This Motion is made in good faith and on consent. Requests for extensions of time are governed by Fed. R. Civ. P. 6. Since the instant request for an extension is being made before the relevant time periods have expired, is a joint motion of the parties and required due to unforeseeable health complications of a necessary participant in the proceedings, the Board has the discretion to grant the request on a showing of good cause. The request is not for the purpose of delay, but for the grounds stated above. Accordingly, good cause exists to grant the present Motion.

Date: September 10, 2020

Respectfully submitted,
/ Jason A. Pittman /
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CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2020, I served a true and complete copy of the foregoing **JOINT MOTION TO EXTEND AND RESET SCHEDULE FOR SETTLEMENT** on opposing counsel via email as follows:

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