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

Proceeding	91240349
Party	Plaintiff U.S. Bank N.A.
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Submission	Stipulated/Consent Motion to Extend
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Date	06/05/2018
Attachments	Consent Motion to Extend Deadlines.pdf(98159 bytes )

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

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**U.S. BANK N.A.,**

**Opposer,**

**v.**

**MERCANTIL SERVICIOS  
FINANCIEROS, C.A.,**

**Applicant.**

**Opposition No.: 91240349**

**Trademark: US and Design**

**Serial No. 87/128,856**

**Serial No. 87/128,865**

**Serial No. 87/128,860**

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**CONSENT MOTION TO EXTEND DEADLINES**

The parties hereby respectfully jointly move under Trademark Trial and Appeal Board ("TBMP") § 509.01(a) and 37 C.F.R. § 2.116(a) to extend all deadlines including the deadline for the exchange of initial and expert disclosures, the close of discovery and trial and briefing by a period of 60 days. This time would allow for the closing of a financial transaction that is expected to result in the three trademark applications that are the subject of this opposition being abandoned effectively mooting the opposition.

The parties timely conducted their discovery conference by telephone on June 4, 2018 and addressed all of the issues required by TBMP §408.01(a) and Fed. R. Civ. P. 26. Applicant's counsel also confirmed that Applicant is in the process of spinning off and severing its banking operations in the United States. The transaction is expected to close by the end of the first half of 2018. The trademarks which are the subject of the intent to use trademark applications involved in this opposition were intended for use by those banking operations. However, following the completion of the transaction for the spin off, the trademark applications are expected to be abandoned and the opposition would effectively become moot. As part of their discovery conference, the parties have

also discussed the potential framework for a settlement should the spin off for some reason not occur.

The parties' joint motion is not sought for purposes of delay, but rather to provide sufficient time for the transaction to close and the opposition to be resolved without undue expense and waste of the parties' and the Board's time. Accordingly, the parties respectfully submit that they have shown good cause and therefore request that all deadlines in the opposition, including the deadline for initial and expert disclosures, the close of discovery, trial and briefing be extended by a period of 60 days.

Dated:

June 5, 2018



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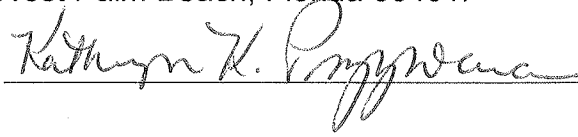
Dated: **June 4, 2018**

/s/ Daniel J. Barsky

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 5, 2018 a copy of the foregoing was sent via e-mail to Daniel J. Barsky, dbarsky@shutts.com, SHUTTS & BOWEN LLP, 1100 City Place Tower, 525 Okeechobee Boulevard, West Palm Beach, Florida 33401.

  
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