ESTTA Tracking number: **ESTTA1047926**

Filing date: **04/08/2020**

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

Proceeding	91240636
Party	Plaintiff Information Builders, Inc.
Correspondence Address	HOWARD F MANDELBAUM MANDELBAUM SILFIN ECONOMOU LLP 222 BLOOMINGDALE RD STE 203 WHITE PLAINS, NY 10605 UNITED STATES hmandelbaum@msellp.com, docketing@msellp.com 914-421-0500
Submission	Motion to Extend
Filer's Name	Ira E. Silfin
Filer's email	isilfin@msellp.com, docketing@msellp.com
Signature	/Ira E. Silfin/
Date	04/08/2020
Attachments	200408 Motion to Extend Time.pdf(253394 bytes)

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

Information Builders, Inc.,	:	
Plaintiff,	:	Opposition No. 91240636
v.	:	consolidated with
SWMG Productions, Inc.,	:	Cancellation No. 92068353
Defendant.	:	

PLAINTIFF'S MOTION TO EXTEND TIME

Plaintiff Information Builders, Inc. hereby moves to extend time. These consolidated proceedings are about to enter the trial phase. Pursuant to this Board's Order dated November 25, 2019, Plaintiff's Pretrial Disclosures are due April 11, 2020, and Plaintiff's 30-day Trial Period ends on May 26, 2020. Plaintiff seeks a 60-day extension. Defendant ***does not consent*** to this motion.

As this Board is aware, the COVID-19 virus has caused significant disruptions in business for the last month. Both Plaintiff and Plaintiff's counsel are in New York, where the virus has had the most devastating effect. All non-essential businesses in New York State have been legally closed since March 22, with all business being conducted from individual residences. In-person meetings are pretty much against the law. See

https://www.governor.ny.gov/news/no-2028-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency.

This business disruption has made it difficult for Plaintiff's counsel to communicate with plaintiff and verify information needed for the pre-trial disclosures, and access physical files and notes. Furthermore, we anticipate that the preparation of trial testimony and trial exhibits will be hampered by the ongoing business disruptions. Because there is currently no plan to resume normal business activities, plaintiff's counsel believes that it would be prudent to extend all the dates for 60 days with the expectation that this will be enough time for the resumption of normal business.

Plaintiff sought defendant's consent to this motion. Defendant refused to consent and did not offer to agree to any additional time. Defendant's counsel stated:

> We ask that you update your pre-trial statement in a timely manner. If the May 26 deadline becomes problematic, we can solve that as it approaches.

For the foregoing reasons, plaintiff respectfully requests that the Board grant a 60-day extension for all upcoming dates.

Dated: April 8, 2020

Ira E. Silfin
Mandelbaum Silfin Economou LLP
222 Bloomingdale Road, Suite 120
White Plains, NY 10605
(914) 421-0500

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing PLAINTIFF'S MOTION TO AMEND NOTICE OF OPPOSITION AND PETITION FOR CANCELLATION has been forwarded on April 8, 2020 by email to:

Michael F. Campillo
Venjuris PC
1938 E Osborn Rd
Phoenix, Az 85016

at

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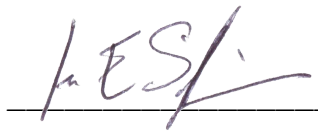

Ira E. Silfin