

ESTTA Tracking number: **ESTTA975814**

Filing date: **05/23/2019**

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

Proceeding	91246457
Party	Defendant The Spoon Movement, LLC
Correspondence Address	WESLEY W WHITMYER JR WHITMYER IP GROUP LLC 600 SUMMER STREET STAMFORD, CT 06901 UNITED STATES litigation@whipgroup.com, rkeeler@whipgroup.com, lmatturri@whipgroup.com 203-703-0800
Submission	Motion to Extend
Filer's Name	Wesley W. Whitmyer, Jr.
Filer's email	litigation@whipgroup.com, rkeeler@whipgroup.com, lmatturri@whipgroup.com
Signature	/Wesley W. Whitmyer, Jr./
Date	05/23/2019
Attachments	91246457 Motion for Extension of Time.pdf(307049 bytes)

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

Domenic Esposito, :
: :
Opposer, : :
: : Opposition No. 91246457
v. : :
: :
The Spoon Movement, LLC, : :
: :
Applicant. :

U.S. Trademark Application Serial No. 88075827



Trademark: #thespoon @theoploidspoon

APPLICANT’S MOTION FOR EXTENSION OF TIME TO ANSWER

Applicant, The Spoon Movement, LLC (“Applicant”) hereby moves, under Fed. R. Civ. P. 6, 37 C.F.R. § 2.127 and TBMP § 310.03(c), for 60-day extension of time in which to answer the Notice of Opposition filed by Opposer Domenic Esposito (“Opposer”) on February 14, 2019.

Applicant submits that good cause exists and requests the extension of time in order to allow it sufficient time to analyze the Notice of Opposition and confer with counsel on the appropriate response thereto. Counsel for Applicant has been diligently conferring with Applicant and requests additional time in order to properly formulate a substantive Answer.

Counsel for Applicant has contacted counsel for Opposer via letter dated May 6, 2019, to ascertain whether Opposer consents to this extension, however, counsel for Opposer has not responded. Therefore, Applicant respectfully requests that the trial dates be reset as follows:

Event	Current Due Date	Requested Due Date
Time to Answer	05/30/2019	07/29/2019
Deadline for Discovery Conference	06/29/2019	08/28/2019

Discovery Opens	06/29/2019	08/28/2019
Initial Disclosures Due	07/29/2019	09/27/2019
Expert Disclosures Due	11/26/2019	01/25/2020
Discovery Closes	12/26/2019	02/24/2020
Plaintiff's Pretrial Disclosures Due	02/09/2020	04/09/2019
Plaintiff's 30-day Trial Period Ends	03/25/2020	05/24/2020
Defendant's Pretrial Disclosures Due	04/09/2020	06/08/2020
Defendant's 30-day Trial Period Ends	05/24/2020	07/23/2020
Plaintiff's Rebuttal Disclosures Due	06/08/2020	08/07/2020
Plaintiff's 15-day Rebuttal Period Ends	07/08/2020	09/06/2020
Plaintiff's Opening Brief Due	09/06/2020	11/05/2020
Defendant's Brief Due	10/06/2020	12/05/2020
Plaintiff's Reply Brief Due	10/21/2020	12/20/2020
Request for Oral Hearing (option) Due	10/31/2020	12/30/2020

Respectfully submitted,

May 23, 2019

/s/ Wesley W. Whitmyer, Jr.

Wesley W. Whitmyer, Jr.

Robert D. Keeler

Lauren C. Maturri

WHITMYER IP GROUP LLC

600 Summer Street

Stamford, CT 06901

Tel. (203) 703-0800

Fax. (203) 703-0801

Email: rkeeler@whipgroup.com

lmaturri@whipgroup.com

litigation@whipgroup.com

Attorneys for Applicant, The Spoon Movement, LLC

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing **APPLICANT'S MOTION FOR EXTENSION OF TIME TO ANSWER** was served by electronic mail on the Counsel for the Opposer as follows:

Julie R. Bryan
Casner & Edwards, LLP
303 Congress Street
Boston, MA 02210
bryan@casneredwards.com

May 23, 2019

Date

/s/ Joan M. Burnett_____

Joan M. Burnett