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

Proceeding	91251213
Party	Plaintiff Legacy Health
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Submission	Stipulated/Consent Motion to Extend
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Signature	/Matthew R. Wilmot/
Date	09/16/2021
Attachments	2021-09-16 - Consent Motion to Extend Time for Responding to Motion t o Dismiss.pdf(86019 bytes)

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

Legacy Health,)	Opposition No. 91251213
)	
)	
Opposer,)	Serial No. 88/008,123
)	
v.)	For the mark LEGACY & Design
)	
)	
Western States Business)	Published on March 26, 2019
Management, LLC,)	
)	
Applicant.)	

**CONSENT MOTION TO EXTEND TIME FOR RESPONDING
TO APPLICANT’S MOTION TO DISMISS**

Opposer Legacy Health (“Opposer”) hereby moves the Board to extend the period of time for Opposer to respond to Applicant’s Motion to Dismiss (filed March 5, 2020) by an additional sixty (60) days, or until November 15, 2021. Opposer’s motion is based on the following points and authorities:

On July 19, 2021, Opposer filed a consent motion with the Board seeking to extend the period of time to respond to Applicant’s Motion to Dismiss by sixty (60) days, or until September 16, 2021. On July 20, 2021, the Board granted Opposer’s motion, and Opposer is currently due to respond to Applicant’s Motion to Dismiss by no later than September 16, 2021. Pursuant to the Board’s order dated July 20, 2021, remaining briefing is due in accordance with Trademark Rule 2.127(a), but

proceedings otherwise remain suspended pending the Board's decision on Applicant's Motion to Dismiss.

Opposer seeks an additional sixty (60) day extension because the parties are currently engaged in settlement discussions and by extending the period of time for Opposer to respond to Applicant's Motion to Dismiss, the parties can continue to engage in such settlement discussions without the added pressure of responding to and/or complying with case deadlines. Granting Opposer's motion is further in the interests of judicial economy, as there may be no need for the Board to further consider Applicant's Motion to Dismiss if the parties are able to resolve the current dispute through settlement. Applicant has expressly consented to and does not oppose the extension of time sought by Opposer in this motion.

For the foregoing reasons, Opposer respectfully requests that this motion to extend be granted.

Dated: September 16, 2021

Respectfully submitted,

/s/ Matthew R. Wilmot

Matthew R. Wilmot

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Attorneys for Opposer Legacy Health

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September, 2021, a true and correct copy of the foregoing CONSENT MOTION TO EXTEND TIME FOR RESPONDING TO APPLICANT'S MOTION TO DISMISS was served via email on Applicant, as follows:

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/s/ Matthew R. Wilmot
Matthew R. Wilmot