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Filing date: **07/12/2022**

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

Proceeding no.	91251213
Party	Plaintiff Legacy Health
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Submission	Stipulated/Consent Motion to Extend
Filer's name	Matthew R. Wilmot
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Signature	/Matthew R. Wilmot/
Date	07/12/2022
Attachments	2022-07-12 - Consent Motion to Extend Time for Responding to Motion t o Dismiss.pdf(85943 bytes )

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

<b>Legacy Health,</b>	)	Opposition No. 91251213
	)	
	)	
Opposer,	)	Serial No. 88/008,123
	)	
v.	)	For the mark LEGACY & Design
	)	
<b>Western States Business</b>	)	Published on March 26, 2019
<b>Management, LLC,</b>	)	
	)	
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 September 11, 2022. Opposer’s motion is based on the following points and authorities:

On May 13, 2022, 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 July 13, 2022. On May 16, 2022, the Board granted Opposer’s motion, and Opposer is currently due to respond to Applicant’s Motion to Dismiss by no later than July 13, 2022. Pursuant to the Board’s order dated May 16, 2022, 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: July 12, 2022

Respectfully submitted,

/s/ Matthew R. Wilmot  
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Attorneys for Opposer Legacy Health

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12th day of July, 2022, 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:

Todd E Zenger  
DUREN IP PC  
610 E South Temple Street, Suite 300  
Salt Lake City, UT 84102  
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/s/ Matthew R. Wilmot  
Matthew R. Wilmot