

ESTTA Tracking number: **ESTTA1149888**

Filing date: **07/29/2021**

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

Proceeding No.	91251432
Filing Party	Defendant Cummins Inc.
Other Party	Plaintiff Shem, LLC
Pending Motion	There is no motion currently pending and no other motion is being filed concurrent with this consent motion.

### Consent Motion to Extend

The Expert Disclosures Due is currently set to close on 08/09/2021. Cummins Inc. requests that such date be extended for 30 days, or until 09/08/2021, and that all subsequent dates be reset accordingly.

Time to Answer	02/14/2020 (CLOSED)
Deadline for Discovery Conference	06/15/2020 (CLOSED)
Discovery Opens	06/15/2020 (CLOSED)
Initial Disclosures Due	07/15/2020 (CLOSED)
Expert Disclosures Due	09/08/2021
Discovery Closes	10/08/2021
Plaintiff's Pretrial Disclosures Due	11/22/2021
Plaintiff's 30-day Trial Period Ends	01/06/2022
Defendant's Pretrial Disclosures Due	01/21/2022
Defendant's 30-day Trial Period Ends	03/07/2022
Plaintiff's Rebuttal Disclosures Due	03/22/2022
Plaintiff's 15-day Rebuttal Period Ends	04/21/2022
Plaintiff's Opening Brief Due	06/20/2022
Defendant's Brief Due	07/20/2022
Plaintiff's Reply Brief Due	08/04/2022
Request for Oral Hearing (optional) Due	08/14/2022

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Cummins Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

### Certificate of Service

The undersigned hereby certifies that a copy of this submission has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/Jaclyne D. Wallace/

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