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Filing date: **02/02/2022**

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

Proceeding no.	91251512
Party	Plaintiff ABG-Frye LLC
Correspondence address	EDMUND J FERDINAND III FERDINAND IP LLC 450 SEVENTH AVENUE SUITE 1300 NEW YORK, NY 10123 UNITED STATES Primary email: Jferdinand@24iplg.com 212-220-0523
Submission	Stipulated/Consent Motion to Extend
Filer's name	Edmund J. Ferdinand, III
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Signature	/ejf/
Date	02/02/2022
Attachments	Consent Motion for Extension w dates 02.02.2022.pdf(127474 bytes)

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

Opposer: COOL BRANDS SUPPLY S.A.
Serial No.: 88285093
Filing Date: January 31,

2019 Mark: FF ()

ABG-Frye LLC,)	
)	
Opposer,)	
)	
vs.)	Opposition No. 91/251,512
)	
COOL BRANDS SUPPLY S.A.,)	
)	
Applicant.)	

**MOTION ON CONSENT TO SUSPEND
THE SCHEDULE FOR SETTLEMENT FOR THIRTY (30) DAYS**

Opposer, ABG-Frye LLC (“Opposer”) with the consent of Applicant, Cool Brands Supply S.A., hereby moves the Board to suspend the schedule for settlement for thirty (30) days for good cause, namely to enable the parties to execute a global settlement agreement that will resolve all issues between them in this proceeding,

In response to the Board’s requirement in its November 9, 2021 Order for a detailed report on the parties’ further settlement progress, the parties hereby respond as follows:

The parties remain in the final stages of settlement negotiations. The parties have reached an agreement in principle and counsel exchanged a written draft of a settlement agreement in January. The parties are in the final stages of negotiating the written settlement agreement. The additional time is needed to exchange and execute final drafts of the settlement agreement.. The parties wish to settle the dispute and do not want to revert to further litigation, which the Parties believe would be counterproductive to settlement at this late stage.

Accordingly, upon the good faith showing of the parties as set forth above, Opposer,

with the consent of Applicant by and through its counsel, hereby moves for a thirty (30) extension of all deadlines in the case as follows:

Event	Current Deadline	Proposed New Deadline
Time to Answer	Closed	Closed
Deadline for Discovery Conference	Closed	Closed
Discovery Opens	Closed	Closed
Initial Disclosures Due	Closed	Closed
Expert Disclosures Due	Closed	Closed
Discovery Closes	02/15/2022	03/17/2022
Plaintiff's Pretrial Disclosures Due	04/01/2022	05/01/2022
Plaintiff's 30-day Trial Period Ends	05/16/2022	06/15/2022
Defendant's Pretrial Disclosures Due	05/31/2022	06/30/2022
Defendant's 30-day Trial Period Ends	07/15/2022	08/14/2022
Plaintiff's Rebuttal Disclosures Due	07/30/2022	08/29/2022
Plaintiff's 15-day Rebuttal Period Ends	08/29/2022	09/28/2022
Plaintiff's Brief Due	10/28/2022	11/27/2022
Defendant's Brief Due	11/27/2022	12/27/2022
Plaintiff's Reply Brief Due	12/12/2022	01/11/2023
Request for Oral Hearing (optional) Due	12/22/2022	01/21/2023

Dated: February 2, 2022

Respectfully submitted,

FERDINAND IP, LLC

/s/Edmund J. Ferdinand, III
 Edmund J. Ferdinand, III
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 ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2022, the foregoing consent motion was served upon Applicant's attorney of record, by email to: matt@millermllaw.com:

Matthew Miller, Esq.
755 FRESCA CT, C.A.B.A.
SOLANA BEACH, CA 92075

/s/Edmund J. Ferdinand, III
Edmund J. Ferdinand, III