

ESTTA Tracking number: **ESTTA1042775**

Filing date: **03/17/2020**

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

Proceeding No.	91253958
Filing Party	Defendant Boehringer Ingelheim International GmbH
Other Party	Plaintiff Luminex Corporation
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 Time to Answer is currently set to close on 03/18/2020. Boehringer Ingelheim International GmbH requests that such date be extended for 60 days, or until 05/17/2020, and that all subsequent dates be reset accordingly.

Time to Answer	05/17/2020
Deadline for Discovery Conference	06/16/2020
Discovery Opens	06/16/2020
Initial Disclosures Due	07/16/2020
Expert Disclosures Due	11/13/2020
Discovery Closes	12/13/2020
Plaintiff's Pretrial Disclosures Due	01/27/2021
Plaintiff's 30-day Trial Period Ends	03/13/2021
Defendant's Pretrial Disclosures Due	03/28/2021
Defendant's 30-day Trial Period Ends	05/12/2021
Plaintiff's Rebuttal Disclosures Due	05/27/2021
Plaintiff's 15-day Rebuttal Period Ends	06/26/2021
Plaintiff's Opening Brief Due	08/25/2021
Defendant's Brief Due	09/24/2021
Plaintiff's Reply Brief Due	10/09/2021
Request for Oral Hearing (optional) Due	10/19/2021

The grounds for this request are as follows:

- *Applicant's primary counsel has been in and out of the office for a number of months due to a health issue. He had re-assumed his normal operations in January but had a setback that saw him out of the office again for a number of weeks. With the coronavirus crisis he falls into the high risk category and will not be in the office for the foreseeable future. As such, the undersigned, an attorney in the same firm of record as the primary attorney, will be assuming primary responsibility for the foreseeable future and needs time to become familiar with the issues involved in the dispute.*

Boehringer Ingelheim International GmbH 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 filing has been served upon all parties, at their address of

record by Email on this date.

Respectfully submitted,

/SPM/

Sean P. McMahon

smcmahon@ostrolenk.com, tm@ostrolenk.com

03/17/2020