

ESTTA Tracking number: **ESTTA1284902**

Filing date: **05/12/2023**

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

Proceeding no.	91255260
Party	Plaintiff STX Financing, LLC
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Submission	Motion to Suspend for Settlement Discussions
Filer's name	Paul A. Bost
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Signature	/Paul A. Bost/
Date	05/12/2023
Attachments	Consented Motion to Suspend Deadlines - May 2023 - STX Financing v. B ad Mommy.pdf(126975 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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<p><i>In re Matter of Application No. 87/775,019 for the mark: BAD MOMMY in Class 41</i></p> <p><i>In re Matter of Registration No. 4,923,851 for the mark: BAD MOMMY in Class 35</i></p> <p>STX Financing, LLC,</p> <p style="text-align: center;">Opposer and Petitioner,</p> <p style="text-align: center;">vs.</p> <p>Bad Mommy LLC,</p> <p style="text-align: center;">Applicant and Registrant.</p>	<p>Opposition No. 91-255260 (parent case) Cancellation No. 92-075482</p> <p>MOTION TO SUSPEND DEADLINES BY 30 DAYS WITH CONSENT</p>
<p>Bad Mommy LLC,</p> <p style="text-align: center;">Counterclaim Petitioner,</p> <p style="text-align: center;">vs.</p> <p>STX Financing, LLC,</p> <p style="text-align: center;">Counterclaim Registrant.</p>	

Opposer, Petitioner, and Counterclaim Registrant STX Financing, LLC’s (“Plaintiff”), with the consent of Applicant, Registrant, and Counterclaim Petitioner Bad Mommy LLC (“Defendant”), moves to suspend all deadlines in this proceeding by 30 days as follows:

<u>Event</u>	<u>Current Deadline</u>	<u>Revised Deadline</u>
Pretrial Disclosures Due for Party in Position of Plaintiff in Original Claim	5/13/23	6/12/23
30-day Trial Period Ends for Party in Position of	6/27/23	7/27/23

<u>Event</u>	<u>Current Deadline</u>	<u>Revised Deadline</u>
Plaintiff in Original Claim		
Pretrial Disclosures Due for Party in Position of Defendant in Original Claim and in Position of Plaintiff in Counterclaim	7/12/23	8/11/23
30-day Trial Period Ends for Party in Position of Defendant in Original Claim, and in Position of Plaintiff in Counterclaim	8/26/23	9/25/23
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Original Claim and in Position of Defendant in Counterclaim	9/10/23	10/10/23
30-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Original Claim, and in Position of Defendant in Counterclaim	10/25/23	11/24/23
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Counterclaim	11/9/23	12/9/23
15-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Counterclaim	12/9/23	1/8/24
Opening Brief for Party in Position of Plaintiff in Original Claim Due	2/7/24	3/8/24
Combined Brief for Party in Position of Defendant in Original Claim and Opening Brief as Plaintiff in Counterclaim Due	3/8/24	4/7/24
Combined Rebuttal Brief for Party in Position of Plaintiff in Original Claim and Brief as Defendant in Counterclaim Due	4/7/24	5/7/24
Rebuttal Brief for Party in Position of Plaintiff in Counterclaim Due	4/22/24	5/22/24
Request for Oral Hearing (optional) Due	5/2/24	6/1/24

Pursuant to the Board's order February 8, 2023 (42 TTABVUE), the parties provide the follow report on the progress of ongoing settlement negotiations. On February 6, 2023, the parties reached an agreement on the general terms of settlement. On March 6, 2023, Plaintiff provided Defendant with a draft long form settlement agreement. On March 27, 2023, Defendant reverted back to Plaintiff with proposed revisions to the long form settlement

agreement. Plaintiff's consideration of Defendant's proposed revisions has been delayed due to travel and the press of other business but is presently considering proposed responses to them and anticipates that it will respond to Defendant within the next two weeks.

Respectfully submitted,

Dated: May 12, 2023

/Paul A. Bost/
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CERTIFICATE OF E-FILING

I hereby certify that this **MOTION TO SUSPEND DEADLINES BY 30 DAYS WITH CONSENT** is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 12th day of May, 2023.

/Paul A. Bost/
Paul A. Bost

CERTIFICATE OF SERVICE

I hereby certify that this **MOTION TO SUSPEND DEADLINES BY 30 DAYS WITH CONSENT** is being sent by electronic mail addressed to IPmail@crowedunlevy.com and tynia.watson@crowedunlevy.com on this 12th day of May, 2023.

/Brenda King/
Brenda King

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