

ESTTA Tracking number: **ESTTA1277721**

Filing date: **04/11/2023**

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

| | |
|----------------|--|
| Proceeding No. | 91267153 |
| Filing Party | Plaintiff South Beach Beverage Company, Inc. |
| Other Party | Defendant Litewater, Inc. |
| 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 04/20/2023. South Beach Beverage Company, Inc. requests that such date be extended for 60 days, or until 06/19/2023, and that all subsequent dates be reset accordingly.

| | |
|---|---------------------|
| Time to Answer | 03/01/2021 (CLOSED) |
| Deadline for Discovery Conference | 03/31/2021 (CLOSED) |
| Discovery Opens | 03/31/2021 (CLOSED) |
| Initial Disclosures Due | 04/30/2021 (CLOSED) |
| Expert Disclosures Due | 06/19/2023 |
| Discovery Closes | 07/19/2023 |
| Plaintiff's Pretrial Disclosures Due | 09/02/2023 |
| Plaintiff's 30-day Trial Period Ends | 10/17/2023 |
| Defendant's Pretrial Disclosures Due | 11/01/2023 |
| Defendant's 30-day Trial Period Ends | 12/16/2023 |
| Plaintiff's Rebuttal Disclosures Due | 12/31/2023 |
| Plaintiff's 15-day Rebuttal Period Ends | 01/30/2024 |
| Plaintiff's Opening Brief Due | 03/30/2024 |
| Defendant's Brief Due | 04/29/2024 |
| Plaintiff's Reply Brief Due | 05/14/2024 |
| Request for Oral Hearing (optional) Due | 05/24/2024 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

South Beach Beverage Company, 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,

/Paul J. Reilly/

Paul J. Reilly

paul.reilly@bakerbotts.com, meghna.prasad@bakerbotts.com, lucy.soyinka@bakerbotts.com, john.mitchell@bakerbotts.com, nytmdpt@bakerbotts.com

04/11/2023