

ESTTA Tracking number: **ESTTA1306324**Filing date: **08/28/2023**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91269534
Party	Defendant American Academy Holdings, LLC
Correspondence address	DEVON E. WHITE WYRICK ROBBINS YATES & PONTON LLP 4101 LAKE BOONE TRAIL, SUITE 300 RALEIGH, NC 27607 UNITED STATES Primary email: ip@wyrick.com 919-781-4000
Submission	Stipulated/Consent Motion to Extend
Filer's name	Devon E White
Filer's email	ip@wyrick.com
Signature	/DEW/
Date	08/28/2023
Attachments	CODIFY BY AAPC Opposition MOTION FOR EXTENSION OF TIME TO ANSWER WITH STATUS REPORT.pdf(84625 bytes)

3. Applicant received confirmation from Opposer’s counsel via email on August 18, 2023 regarding the clarification on use of the mark in a modified form in in-line text environments in digital and print materials.
4. Applicant’s counsel has updated the Settlement and Coexistence Agreement with some additional use allowances that Applicant views as minor and clarifying; and has also updated and attached printouts of the “Add-ons” page to be included in the Exhibit to the Agreement to show additional representative compliant uses of Applicant’s mark and modified versions of Applicant’s mark under the terms of the Agreement.
5. Applicant is reviewing the updated August 23, 2023 draft Agreement and is it anticipated that the Agreement will be sent to Opposer’s counsel on or about August 28, 2023.
6. Counsel for Opposer and counsel for Applicant are requesting a further extension of time to allow for additional time and consideration in light of these substantive developments and to allow the Parties time to finalize and execute the Settlement and Coexistence Agreement.
7. Counsel for Opposer agreed to the filing of this consent motion by email on August 28, 2023.

The Parties respectfully request an extension of all subsequent dates, such dates to be reset as follows:

Time to Answer:	10/28/2023
Deadline for Discovery Conference:	11/27/2023
Discovery Opens:	11/27/2023
Initial Disclosures Due:	12/27/2023
Expert Disclosures Due:	04/26/2023

Discovery Closes:	05/26/2023
Plaintiff's Pretrial Disclosures Due:	07/10/2023
Plaintiff's 30-day Trial Period Ends:	08/24/2023
Defendant's Pretrial Disclosures Due:	09/08/2024
Defendant's 30-day Trial Period Ends:	10/23/2024
Plaintiff's Rebuttal Disclosures Due:	11/07/2024
Plaintiff's 15-day Rebuttal Period Ends:	12/07/2024
Plaintiff's Opening Brief Due:	02/05/2024
Defendant's Brief Due:	03/06/2024
Plaintiff's Reply Brief Due:	03/21/2024
Request for Oral Hearing (optional) Due	03/31/2024

In view of the foregoing, the Parties respectfully request a further sixty (60) day extension to facilitate and promote additional Settlement negotiations.

Dated: August 28, 2023

Respectfully submitted,

_____/dew/_____

Devon E. White
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Certificate of Service

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

Dated: August 28, 2023

_____/dew/_____

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