

ESTTA Tracking number: **ESTTA1222933**

Filing date: **07/19/2022**

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

Proceeding No.	91270064
Filing Party	Plaintiff PepsiCo, Inc.
Other Party	Defendant Zachary Gwin
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 07/28/2022. PepsiCo, Inc. requests that such date be extended for 60 days, or until 09/26/2022, and that all subsequent dates be reset accordingly.

Time to Answer	08/02/2021 (CLOSED)
Deadline for Discovery Conference	09/01/2021 (CLOSED)
Discovery Opens	09/01/2021 (CLOSED)
Initial Disclosures Due	10/01/2021 (CLOSED)
Expert Disclosures Due	09/26/2022
Discovery Closes	10/26/2022
Plaintiff's Pretrial Disclosures Due	12/10/2022
Plaintiff's 30-day Trial Period Ends	01/24/2023
Defendant's Pretrial Disclosures Due	02/08/2023
Defendant's 30-day Trial Period Ends	03/25/2023
Plaintiff's Rebuttal Disclosures Due	04/09/2023
Plaintiff's 15-day Rebuttal Period Ends	05/09/2023
Plaintiff's Opening Brief Due	07/08/2023
Defendant's Brief Due	08/07/2023
Plaintiff's Reply Brief Due	08/22/2023
Request for Oral Hearing (optional) Due	09/01/2023

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*

PepsiCo, Inc. has secured the express consent of all other parties to this proceeding for the extension and re-setting 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, tyler.beas@bakerbotts.com, nytmdpt@bakerbotts.com,

john.mitchell@bakerbotts.com

07/19/2022