

ESTTA Tracking number: **ESTTA1238089**

Filing date: **09/26/2022**

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

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| 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 09/26/2022. PepsiCo, Inc. requests that such date be extended for 60 days, or until 11/25/2022, and that all subsequent dates be reset accordingly.

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| 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 | 11/25/2022 |
| Discovery Closes | 12/25/2022 |
| Plaintiff's Pretrial Disclosures Due | 02/08/2023 |
| Plaintiff's 30-day Trial Period Ends | 03/25/2023 |
| Defendant's Pretrial Disclosures Due | 04/09/2023 |
| Defendant's 30-day Trial Period Ends | 05/24/2023 |
| Plaintiff's Rebuttal Disclosures Due | 06/08/2023 |
| Plaintiff's 15-day Rebuttal Period Ends | 07/08/2023 |
| Plaintiff's Opening Brief Due | 09/06/2023 |
| Defendant's Brief Due | 10/06/2023 |
| Plaintiff's Reply Brief Due | 10/21/2023 |
| Request for Oral Hearing (optional) Due | 10/31/2023 |

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/

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