

ESTTA Tracking number: **ESTTA1199394**

Filing date: **03/29/2022**

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

Proceeding No.	91273021
Filing Party	Defendant FYH Industries LLC
Other Party	Plaintiff Kona USA, 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 Time to Answer is currently set to close on 03/29/2022. FYH Industries LLC requests that such date be extended for 30 days, or until 04/28/2022, and that all subsequent dates be reset accordingly.

Time to Answer	04/28/2022
Deadline for Discovery Conference	05/28/2022
Discovery Opens	05/28/2022
Initial Disclosures Due	06/27/2022
Expert Disclosures Due	10/25/2022
Discovery Closes	11/24/2022
Plaintiff's Pretrial Disclosures Due	01/08/2023
Plaintiff's 30-day Trial Period Ends	02/22/2023
Defendant's Pretrial Disclosures Due	03/09/2023
Defendant's 30-day Trial Period Ends	04/23/2023
Plaintiff's Rebuttal Disclosures Due	05/08/2023
Plaintiff's 15-day Rebuttal Period Ends	06/07/2023
Plaintiff's Opening Brief Due	08/06/2023
Defendant's Brief Due	09/05/2023
Plaintiff's Reply Brief Due	09/20/2023
Request for Oral Hearing (optional) Due	09/30/2023

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *The parties should fully resolve this matter in the next 30 days.*

FYH Industries LLC 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,

/Robert Powers/

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03/29/2022