

ESTTA Tracking number: **ESTTA1187066**

Filing date: **01/26/2022**

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 01/28/2022. FYH Industries LLC requests that such date be extended for 30 days, or until 02/27/2022, and that all subsequent dates be reset accordingly.

Time to Answer	02/27/2022
Deadline for Discovery Conference	03/29/2022
Discovery Opens	03/29/2022
Initial Disclosures Due	04/28/2022
Expert Disclosures Due	08/26/2022
Discovery Closes	09/25/2022
Plaintiff's Pretrial Disclosures Due	11/09/2022
Plaintiff's 30-day Trial Period Ends	12/24/2022
Defendant's Pretrial Disclosures Due	01/08/2023
Defendant's 30-day Trial Period Ends	02/22/2023
Plaintiff's Rebuttal Disclosures Due	03/09/2023
Plaintiff's 15-day Rebuttal Period Ends	04/08/2023
Plaintiff's Opening Brief Due	06/07/2023
Defendant's Brief Due	07/07/2023
Plaintiff's Reply Brief Due	07/22/2023
Request for Oral Hearing (optional) Due	08/01/2023

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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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01/26/2022