

ESTTA Tracking number: **ESTTA1276315**

Filing date: **04/04/2023**

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

Proceeding no.	91273762
Party	Defendant Earth & I, LLC
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Submission	Motion to Extend
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Date	04/04/2023
Attachments	2023-04-04 - ELITE PRO BEAUTY - Consent Motion to Extend.pdf(34846 bytes)

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

Elite Licensing Company SAGL, Opposer v. Earth & I, LLC, Applicant	Opposition No. 91273762 Mark: ELITE PRO BEAUTY Application Serial No. 90312644
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CONSENT MOTION TO EXTEND

Applicant Earth & I, LLC ("Applicant") and Opposer Elite Licensing Company SAGL ("Opposer") (collective the "Parties"), by and through their undersigned counsel, submit this Consent Motion to Extend, requesting a 60-day extension of all opposition deadlines for good cause shown, as set forth below. Pursuant to the Board's order dated February 7, 2023, which required that the Parties report to the Board on the progress of discovery, or of any ongoing settlement negotiations, the Parties' counsel state as follows.

1. After several months of negotiations, on March 31, 2023, the Parties' counsel exchanged a final draft of a settlement agreement addressing all issues relating to their dispute, subject to their respective clients' approval of the agreement.
2. On the same date, March 31, 2023, the Parties' counsel indicated that they would send the final draft of the settlement agreement to their respective clients for their review.
3. The Parties' counsel have not yet heard from their respective clients.

4. As the Parties' counsel have not yet heard from their respective clients, on April 3, 2023, Applicant's counsel requested and Opposer's counsel consented to a further 60-day extension of all opposition deadlines.

5. The current opposition deadlines and the proposed opposition deadlines are set forth below.

	Current Schedule	Proposed Schedule
Time to Answer	04/04/2023	06/03/2023
Deadline for Discovery Conference	05/04/2023	07/03/2023
Discovery Opens	05/04/2023	07/03/2023
Initial Disclosures Due	06/03/2023	08/02/2023
Expert Disclosures Due	10/01/2023	11/30/2023
Discovery Closes	10/31/2023	12/30/2023
Plaintiff's Pretrial Disclosures Due	12/15/2023	02/13/2024
Plaintiff's 30-day Trial Period Ends	01/29/2024	03/29/2024
Defendant's Pretrial Disclosures Due	02/13/2024	04/13/2024
Defendant's 30-day Trial Period Ends	03/29/2024	05/28/2024
Plaintiff's Rebuttal Disclosures Due	04/13/2024	06/12/2024
Plaintiff's 15-day Rebuttal Period Ends	05/13/2024	07/12/2024
Plaintiff's Opening Brief Due	07/12/2024	09/10/2024
Defendant's Brief Due	08/11/2024	10/10/2024
Plaintiff's Reply Brief Due	08/26/2024	10/25/2024
Request for Oral Hearing (optional) Due	09/05/2024	11/04/2024

6. There is no motion currently pending and no other motion is being filed concurrent with this Consent Motion to Extend.

WHEREFORE, the Parties respectfully request that all opposition deadlines be reset in accordance with this Consent Motion to Extend.

Date: April 4, 2023

Respectfully submitted,

By: /Evan A. Raynes/
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Attorney for Opposer

CERTIFICATE OF SERVICE

I certify that, on April 4, 2023, a copy of the attached Consent Motion to Extend was served on the following by email.

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/Evan A. Raynes

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