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Filing date: **08/19/2024**

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

Proceeding no.	91274806
Party	Plaintiff Nook Digital, LLC
Correspondence address	DEBORAH L SHAPIRO MOSES & SINGER LLP 405 LEXINGTON AVENUE NEW YORK, NY 10174-1299 UNITED STATES Primary email: dshapiro@mosessinger.com Secondary email(s): vcastanaro@mosessinger.com, rdiamond@mosessinger.com 212-554-7800
Submission	Stipulated/Consent Motion to Extend
Filer's name	Deborah L. Shapiro
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Signature	/Deborah L. Shapiro/
Date	08/19/2024
Attachments	August 2024 Consent Motion to Extend and Status Update - Opposition N o. 91274806.pdf(17483 bytes)

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

In the Matter of Trademark Application Serial No. 90/616,107

For the mark: GAMERNOOK

Published in the Official Gazette on November 2, 2021

NOOK DIGITAL, LLC,

Opposer,

v.

WALZ L337 LLC,

Applicant.

Opposition No. 91274806

CONSENT MOTION TO EXTEND AND STATUS UPDATE

Opposer and Applicant, in the above-identified opposition proceeding, through their attorneys, respectfully request a 60-day extension of discovery and trial dates. Pursuant to the Board's orders dated June 24, 2024 and August 9, 2024, the parties hereby provide a status update on the progress of ongoing settlement negotiations.

As previously stated, Opposer recently retained new counsel. On January 11, 2024, the undersigned filed their Notice of Appearance. The parties held a telephone conference on June 6, 2024, following email correspondence between the parties on May 8, 2024. Since the last motion for an extension was granted by the Board, the parties communicated via email on July 18, 2024, and August 6, 2024. The nature of these discussions has been the anticipated finalization of the drafted settlement agreement between the parties. Applicant is difficult to reach and therefore the issues precluding ultimate settlement remain outstanding. Applicant's counsel is actively seeking feedback from Applicant.

The parties believe that a 60-day extension is appropriate in light of the pending settlement negotiations and anticipate that such time will be sufficient to negotiate any final points in the drafted settlement agreement. As such, Opposer, with Applicant's consent, hereby moves the Trademark Trial & Appeal Board to reset the schedule as provided by the Proposed Discovery and Trial Dates, attached hereto as Schedule A.

The foregoing request is on consent of both parties and is not being filed for the purpose of mere delay of proceedings, and favorable consideration of this request is respectfully solicited.

Dated: New York, New York
August 19, 2024

Respectfully submitted,
MOSES & SINGER LLP

By: /s/ Deborah L. Shapiro

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SCHEDULE A
Proposed Discovery and Trial Dates
Opposition No. 91274806

Expert Disclosures Due	10/24/2024
Discovery Closes	11/23/2024
Plaintiff's Pretrial Disclosures Due	01/07/2025
Plaintiff's 30-day Trial Period Ends	02/21/2025
Defendant's Pretrial Disclosures Due	03/08/2025
Defendant's 30-day Trial Period Ends	04/22/2025
Plaintiff's Rebuttal Disclosures Due	05/07/2025
Plaintiff's 15-day Rebuttal Period Ends	06/06/2025
Plaintiff's Opening Brief Due	08/05/2025
Defendant's Brief Due	09/04/2025
Plaintiff's Reply Brief Due	09/19/2025
Request for Oral Hearing (optional) Due	09/29/2025

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Consent Motion to Extend and Status Update has been filed with the Board and was served on counsel for Walz L337 LLC on August 19, 2024, by sending the same via email to the following email addresses:

rex@t-rexlaw.com
jfranco@t-rexlaw.com

Dated: New York, New York
August 19, 2024

MOSES & SINGER LLP

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