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

Proceeding no.	91278510
Party	Plaintiff Daniel Baum Company
Correspondence address	BARTH X. DEROSA BELZER PC 2905 BULL STREET SAVANNAH, GA 31405 UNITED STATES Primary email: bderosa@belzerlaw.com Secondary email(s): rwomack@belzerlaw.com, paralegal@belzerlaw.com 202-408-5955
Submission	Stipulated/Consent Motion to Extend
Filer's name	Barth X deRosa
Filer's email	bderosa@belzerlaw.com
Signature	/barth xavier derosa/
Date	10/24/2023
Attachments	135-147 Stipulated Consented Motion for Enlargement of Time to Respon d to Second Motion to Dismiss v2.pdf(111253 bytes)

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

DANIEL BAUM COMPANY,

Opposer,

v.

Opposition No. 91278510

BENEFICIAL BIOME SOLUTIONS, INC.
Applicant.

Application Ser. No. 90/197,510

**CONSENTED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO
APPLICANT’S SECOND MOTION TO DISMISS FIRST AMENDED NOTICE OF
OPPOSITION FOR FAILURE TO STATE A CLAIM**

Opposer, Daniel Baum Company, with consent of Applicant’s attorney, Charles McCloskey, hereby stipulate to an Enlargement of Time for Opposer to Respond to Applicant’s Second Motion to Dismiss First Amended Notice of Opposition for Failure to State a Claim that was filed on September 11, 2023. [21 TTABVUE 1-11].

At present, Opposer’s Response to the Applicant’s Motion is presently due on or before November 1, 2023 by Order of the Board. By way of consent between the parties, the time for Opposer to Respond to Applicant’s Motion has been enlarged by 75 days, and is now due on or before January 15, 2024. The purpose of the enlargement is to permit additional time while the parties engage in settlement discussion.

Applicant's consent was secured by telephone discussion had on October 24, 2023.

In the event this Consented Motion should be denied, Opposer respectfully requests that it be given sufficient time to respond to Applicant's Second Motion to Dismiss from the date of such denial.

In view thereof, further action is solicited.

Respectfully submitted,

DANIEL BAUM COMPANY

/Barth X. deRosa/

Barth X. deRosa
BELZER PC
2905 Bull Street
Savannah, GA 31405
Direct: 202-408-5955
General: 912-236-3001
Fax: 912-236-3003
bderosa@belzerlaw.com
Counsel for Opposer

CERTIFICATE OF SERVICE

Pursuant to TBMP Section 113, TTAB Rule 2.119(a) and the Federal Rule of Civil Procedure 4 (h)(1), Attorney for Opposer certifies that a true copy of the foregoing Consented Motion for Enlargement of Time to Respond to Applicant's Second Motion to Dismiss First Amended Notice of Opposition for Failure to State a Claim was served on the below party by email this October 24, 2023:

Charles McCloskey
13321 N. Outer 40 Rd, Ste. 100
Town & Country, MO 63017-5945
Email: chuck@mccloskeypatentlaw.com
Attorney for Applicant

By: /Barth X. deRosa/
Attorney for Opposer

