

ESTTA Tracking number: **ESTTA515596**

Filing date: **01/11/2013**

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

Proceeding	92055808
Party	Plaintiff Johnny's Pizza House, Inc.
Correspondence Address	JOHN L BEARD RADER FISHMAN & GRAUER PLLC 1233 20TH STREET NW, SUITE 501 WASHINGTON, DC 20036-2399 UNITED STATES jlb@raderfishman.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	John L. Beard
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Signature	/jlb/
Date	01/11/2013
Attachments	Motion to Extend Cancellation.pdf (3 pages)(25251 bytes)

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

Johnny's Pizza House, Inc.)	
)	
Petitioner,)	
)	Cancellation No. 92055808
v.)	Reg. No. 3258492
)	Mark: JOHNNIE'S NEW YORK
)	PIZZERIA
Kahala Franchise Corp.)	
)	
Registrant.)	

**CONSENTED MOTION FOR EXTENSION
OF DISCOVERY AND TESTIMONY PERIODS**

Petitioner, Johnny's Pizza House, Inc., requests an extension of the discovery and testimony period by thirty (30) days. Upon grant of this Motion, the new dates will be as follows:

Initial Disclosures Due :	02/12/2013
Expert Disclosures Due :	06/12/2013
Discovery Period to Close :	07/12/2013
Plaintiff Pretrial Disclosures :	08/26/2013
Plaintiff's 30-day Trial Period Ends :	10/10/2013
Defendant Pretrial Disclosures :	10/25/2013
Defendant 30-day Testimony Period ends :	12/09/2013
Plaintiff's Rebuttal Disclosures Due :	12/24/2013
Rebuttal Closes	01/23/2014
Brief for Plaintiff Due	03/24/2014
Brief for Defendant Due	04/23/2014

This request is not made to delay the instant matter, but to afford the parties sufficient time to continue settlement negotiations and to review a proposed agreement that may resolve the proceeding. The extended dates will give the parties the opportunity to finalize the terms of the agreement. Therefore, entry of the Consented Motion is respectfully requested.

Counsel for Petition has discussed this matter with Counsel for Registrant, Mark Robins, who has consented to the Motion.

Respectfully submitted,

Dated: January 11, 2013

By /JLB/
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Attorneys for Petitioner

CERTIFICATE OF TRANSMITTAL

I hereby certify that this correspondence is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on the following date:

Date: January 11, 2013

/MJW/
M. Jennifer Wunsche

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing ***Consent Motion for Extension of Discovery and Testimony Period*** upon the Registrant by causing a true and correct copy thereof to be sent on January 11, 2013, via electronic mail (with consent) to mrobins@nixonpeabody.com.

Dated: January 11, 2013

/MJW/
M. Jennifer Wunsche