

ESTTA Tracking number: **ESTTA636837**

Filing date: **11/04/2014**

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

Proceeding.	92057241
Applicant	Defendant Steven Berlin
Other Party	Plaintiff Daniel M. Goodman
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 12/05/2014. Steven Berlin requests that such date be extended for 90 days, or until 03/05/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	03/05/2015
Deadline for Discovery Conference :	04/04/2015
Discovery Opens :	04/04/2015
Initial Disclosures Due :	05/04/2015
Expert Disclosure Due :	09/01/2015
Discovery Closes :	10/01/2015
Plaintiff's Pretrial Disclosures :	11/15/2015
Plaintiff's 30-day Trial Period Ends :	12/30/2015
Defendant's Pretrial Disclosures :	01/14/2016
Defendant's 30-day Trial Period Ends :	02/28/2016
Plaintiff's Rebuttal Disclosures :	03/14/2016
Plaintiff's 15-day Rebuttal Period Ends :	04/13/2016

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *As requested by the Suspension issued August 8, 2014, counsel for the respective parties report as follows: Counsel for the parties have most recently communicated by telephone on August 5, October 23 and October 31, 2014 and have discussed the parameters of several different agreements that would resolve this matter and, most recently, have determined a single course of action that is being discussed with the clients. Opposer has been outside of the United States for an extended period of time and communications have been somewhat intermittent during that time. Opposer's counsel has not be able to reach Opposer yet since the last communication between counsel. The parties are in agreement that this matter can be resolved amicably, and the framework for a settlement agreement has been created. The parties expect to finalize and execute a settlement agreement within the next 90 days.*

Steven Berlin has secured the express consent of all other parties to this proceeding for the extension and re-setting of dates requested herein.

Steven Berlin has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/tgc/

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11/04/2014