

ESTTA Tracking number: **ESTTA577878**

Filing date: **12/20/2013**

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

Proceeding	92057928
Party	Plaintiff Lululemon Athletica Canada, Inc.
Correspondence Address	ANN K FORD DLA PIPER LLP US 500 8TH STREET NW WASHINGTON, DC 20004 UNITED STATES Ann.Ford@dlapiper.com, David.Kramer@dlapiper.com, Radiance.Harris@dlapiper.com, dctrademarks@dlapiper.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Ann K. Ford
Filer's e-mail	Ann.Ford@dlapiper.com, John.Nading@dlapiper.com, David.Kramer@dlapiper.com, David.Huff@dlapiper.com, nels.lippert@wilmerhale.com
Signature	/Ann K. Ford/
Date	12/20/2013
Attachments	RIP'T FUSION - 30-Day EOT to serve Initial Disclosures and remaining deadlines - 12-20-13.pdf(122830 bytes)

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

In the matter of Trademark
Registration No. 3,801,158
Mark: RIP'T FUSION
Filing Date: February 5, 2009
Registration Date: June 8, 2010

LULULEMON ATHLETICA CANADA,)		
INC.,)		
)	
Petitioner,)		
)	
v.)		Cancellation No. 92057928
)	
TIMES THREE CLOTHIER, LLC)		
)	
Registrant.)		
)	

**CONSENTED MOTION FOR A THIRY-DAY EXTENSION OF TIME TO SERVE
INITIAL DISCLOSURES AND RE-SET ALL REMAINING CASE DEADLINES**

Commissioner for Trademarks
Post Office Box 1451
Alexandria, Virginia 22313-1451

Petitioner Lululemon Athletica Canada, Inc. (hereinafter "Petitioner"), by and through undersigned counsel, together with Registrant Times Three Clothier, LLC (hereinafter "Registrant"), submit this Consented Motion for a Thirty-Day Extension of Time to Serve Initial Disclosures and Re-Set All Remaining Case Deadlines with the Trademark Trial and Appeal Board ("Board"), respectfully requesting that the Board grant an extension of time through and including **February 3, 2014** for the Parties to serve Initial Disclosures, and that all subsequent case deadlines be reset by thirty days accordingly.

The deadline to serve Initial Disclosures is currently January 4, 2014. The Parties are engaging in early settlement negotiations and additional time is needed for the Parties to prepare and serve their Initial Disclosures. On December 20, 2013, Petitioner secured the express

consent of Registrant, as confirmed by its attorney Nels Lippert, to this Consented Motion and for the extension requested herein.

The Parties respectfully submit that this Consented Motion is not made for the purpose of unduly delaying proceedings before the Board.

WHEREFORE, in light of the foregoing, the Parties have shown good cause as to why the instant Consented Motion should be granted. As such, the Parties request that further appropriate action be taken in these proceedings, including the granting of an extension of time for serving Initial Disclosures through and including **February 3, 2014**, and that all subsequent case deadlines be reset by thirty days accordingly.

Respectfully submitted,

DLA PIPER LLP (US)

Dated: December 20, 2013 By: /s/ Ann K. Ford
Ann K. Ford
John M. Nading
David M. Kramer
500 Eighth Street, N.W.
Washington, D.C. 20004
Tel. 202-799-4140
Fax 202-799-5000

*Attorneys for Petitioner
Lululemon Athletica Canada, Inc.*

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **CONSENTED MOTION FOR A THIRY-DAY EXTENSION OF TIME TO SERVE INITIAL DISCLOSURES AND RE-SET ALL REMAINING CASE DEADLINES** was served via electronic mail, as agreed by the Parties, and a courtesy copy via First Class U.S. Mail, postage prepaid, and properly addressed to counsel of record:

Nels T. Lippert
Wilmer Cutler Pickering Hale and Dorr LLP
7 World Trade Center
250 Greenwich Street
New York, New York 10007
nels.lippert@wilmerhale.com

this 20th day of December, 2013.

/s/ Ann K. Ford

Ann K. Ford

Attorney for Petitioner