

ESTTA Tracking number: **ESTTA711718**

Filing date: **12/01/2015**

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

|  |                                |
|--|--------------------------------|
| Proceeding.  | 92058280                       |
| Applicant  | Plaintiff<br>APU XK            |
| Other Party  | Defendant<br>Tenggis Co., Ltd. |
| Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)? | Yes                            |

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

The Close of Discovery is currently set to close on 12/14/2015. APU XK requests that such date be extended for 60 days, or until 02/12/2016, and that all subsequent dates be reset accordingly.

|   |            |
|---|------------|
| Time to Answer :                          | CLOSED     |
| Deadline for Discovery Conference :       | CLOSED     |
| Discovery Opens :                         | CLOSED     |
| Initial Disclosures Due :                 | CLOSED     |
| Expert Disclosure Due :                   | 01/13/2016 |
| Discovery Closes :                        | 02/12/2016 |
| Plaintiff's Pretrial Disclosures :        | 03/28/2016 |
| Plaintiff's 30-day Trial Period Ends :    | 05/12/2016 |
| Defendant's Pretrial Disclosures :        | 05/27/2016 |
| Defendant's 30-day Trial Period Ends :    | 07/11/2016 |
| Plaintiff's Rebuttal Disclosures :        | 07/26/2016 |
| Plaintiff's 15-day Rebuttal Period Ends : | 08/25/2016 |

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*

APU XK has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

APU XK 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 First Class Mail on this date.

Respectfully submitted,  
/ml/  
Mark Lebow  
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12/01/2015