

ESTTA Tracking number: **ESTTA659837**

Filing date: **03/09/2015**

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

Proceeding	92058494
Party	Plaintiff Empire Office LLC
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Submission	Stipulated/Consent Motion to Extend
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Date	03/09/2015
Attachments	JOINT MOTION FOR AN EXTENSION OF ANSWER OR DISCOVERY OR TRIAL PERIODS.pdf(16466 bytes)

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

_____ X

EMPIRE OFFICE, INC.,
Petitioner,
Registration Nos. 3,559,912, 3,671,527,
3,917,495 and 3,329,044

v.

EMPIRE TODAY, LLC,
Respondent.
Cancellation No. **92058494**

_____ X

JOINT MOTION FOR A FINAL EXTENSION OF TIME TO ANSWER

The two parties hereto, the Petitioner Empire Office Inc and the Defendant Empire Today LLC, join in requesting that the Time to Answer for Empire Today, LLC, that is currently set to close on 03/09/2015, be extended for an additional 14 days or until 03/23/2015, but preferably for 30 days, or until 04/08/2015. This will be the last request for an extension, as the parties expect to complete a final settlement of this proceeding promptly upon the return of the undersigned counsel to Petitioner to his office from Europe on March 16, 2015.

The grounds for this request are as follows:

The Parties have been intensively engaged in settlement discussions but have now reached a clear settlement in Principle and require the additional time to complete drafting all of the necessary documentation. The basic Settlement Agreement has been drafted by counsel to both parties. The undersigned Petitioner's counsel, Barry G. Magidoff, is presently out of the country, having left on February 28, 2015, prior to the issuance of the last statement granting the extension until March 9, 2015, and is not scheduled to return until March 15, 2015. The reasons for the trip include visiting clients in Europe and vacation time between client visits.

The two undersigned counsel for the Parties had been diligently engaged in resolving the many issues between the two parties, which have now been resolved in principal, leaving only the completion of the remaining documents not drafted prior to Petitioner's counsel leaving for Europe. Counsel have had an average of at least three substantive emails and/or telephone calls each month for the past year attempting to resolve the issues so as to avoid the necessity of seeking the aid of the Tribunal.

Now that the issues have been resolved, the additional time is needed to complete drafting the papers, upon the return of Petitioner's counsel to his office on March 16, 2015.

Petitioner's counsel gratefully acknowledges the courtesy shown to the Parties during a telephone conversation on Friday, March 6, 2015 to discuss these issues. As explained during that conversation, an extension of at least two weeks beyond the present due date is needed for the Petitioner's counsel to return from his trip and to complete the drafting of the documents. However, counsel would greatly appreciate the additional time, up to 30 days to ensure that the documents are properly completed before being filed.

The Parties are providing their respective e-mail addresses herewith so that any order on this motion may be issued electronically by the Board.

Respectfully submitted,

\Barry G. Magidoff\

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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,

/Courtnei Thorpe/