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

Proceeding	92062757
Party	Defendant Triunfo Foods Import & Export Corp AKA Triunfo Foods
Correspondence Address	MICHAEL F SNYDER VOLPE AND KOENIG PC 30 SOUTH 17 STREET PHILADELPHIA, PA 19103 UNITED STATES msnyder@vklaw.com, trademarks@vklaw.com, litigationparalegals@vklaw.com
Submission	Motion to Reopen
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Signature	/Michael F. Snyder/
Date	11/22/2016
Attachments	TFI Motion.pdf(60851 bytes)

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

Icefrut Comércio de Alimentos Ltda,

Petitioner,

v.

Triunfo Foods Import & Export Corp
AKA Triunfo Foods,

Registrant.

Serial No.: 77/737,758

Registration No.: 3,972,303

Mark: ICEFRUIT

Cancellation No.: 92062757

CONSENT MOTION TO REOPEN AND EXTEND TIME TO ANSWER

Pursuant to 37 C.F.R. § 2.114 and TBMP § 310.03 and 312, Registrant, Triunfo Foods Import & Export Corp AKA Triunfo Foods ("Registrant"), hereby requests the time to respond to Icefrut Comércio de Alimentos Ltda's ("Petitioner") Petition to Cancel be reopened and extended by thirty days.

For some time the parties have been working towards an amicable resolution to this matter. The parties are in the final stages of settlement. The parties had hoped to have this matter resolved by the time Registrant was to respond to the Petition to Cancel as of the last deadline, but finalizing the settlement has taken longer than expected. Thus, this request is not sought for the purpose of delay and Petitioner will not be prejudiced by granting this Motion to Extend after the deadline. There is good cause why default judgment should not be entered against Registrant.

Accordingly, Registrant respectfully requests the discovery and testimony dates in this action be reset by thirty days.

Counsel for Petitioner has consented to this Motion.

For the reasons set forth herein, Registrant respectfully requests that the Board grant the foregoing motion.

Respectfully submitted,

Date: November 22, 2016

By: /Michael F. Snyder/

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Triunfo Foods Import & Export Corp AKA
Triunfo Foods*

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Consent Motion to Reopen and Extend Time to Answer was served on Petitioner's Attorney of Record by email and first-class mail, postage pre-paid to the following:

RYAN A MCGONIGLE
HODGSON RUSS LLP
1540 BROADWAY 24TH FLOOR
NEW YORK, NY 10036

Date: November 22, 2016

By: /Michael F. Snyder/
Michael F. Snyder, Esquire