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Filing date: **05/30/2017**

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

Proceeding	92063578
Party	Defendant Kettle Foods, Inc.
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Submission	Stipulated/Consent Motion to Extend
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Date	05/30/2017
Attachments	Kettle Foods - Consented Motion to Extend.pdf(130669 bytes )

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

**In the Matter of Registration No. 4,000,266  
Issued on July 26, 2011  
Mark: FULLY LOADED BAKED POTATO**

<b>IDAHOAN FOODS, LLC</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Cancellation No. 92063578</b>
	)	
<b>KETTLE FOODS, INC.,</b>	)	
	)	
<b>Registrant.</b>	)	

**CONSENTED MOTION TO EXTEND  
DISCOVERY AND TESTIMONY PERIODS**

Kettle Foods, Inc. (“Registrant”) hereby moves, with the consent of Idahoan Foods, LLC (“Petitioner”), for a 30-day extension of the discovery and testimony periods in this proceeding. The parties exchanged a new proposed settlement agreement on May 30, 2017, and need additional time to complete their discussions and finalize the settlement agreement. This motion is not filed for purposes of delay.

On May 30, 2017, Preston Regehr, Petitioner’s counsel, consented to filing this motion. Accordingly, Registrant respectfully requests that the Board reset the dates in this proceeding as follows:

	<b>Current Date</b>	<b>Proposed Date</b>
Time to Answer	05/29/2017	06/28/2017
Deadline for Discovery Conference	06/28/2017	07/28/2017
Discovery Opens	06/28/2017	07/28/2017
Initial Disclosures Due	07/28/2017	08/27/2017
Expert Disclosures Due	11/25/2017	12/25/2017
Discovery Period To Close	12/25/2017	01/24/2018
Plaintiff’s Pretrial Disclosures	02/08/2018	03/10/2018
Plaintiff’s 30-day Trial Period Ends	03/25/2018	04/24/2018
Defendant’s Pretrial Disclosures	04/09/2018	05/09/2018
Defendant’s 30-day Trial Period Ends	05/24/2018	06/23/2018
Plaintiff’s Rebuttal Disclosures	06/08/2018	07/08/2018
Plaintiff’s 15-day Rebuttal Period Ends	07/08/2018	08/07/2018

This 30th day of May, 2017.

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

/Randel S. Springer/

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Attorneys for Kettle Foods, Inc.

**CERTIFICATE OF SERVICE**

I do hereby certify that on May 30, 2017, a copy of the foregoing CONSENTED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS is being served *by email* on:

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/Laurie A. Ricci/  
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Laurie A. Ricci, Senior Paralegal