

ESTTA Tracking number: **ESTTA848085**

Filing date: **09/25/2017**

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	09/25/2017
Attachments	Consented Motion to Extend - FULLY LOADED.pdf(130953 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 all dates in this proceeding. The parties exchanged proposed settlement agreements on May 30, 2017, on June 6, 2017, and again on September 14, 2017. Counsel for Petitioner has been away from his office attending to another matter. Additional time is needed to finalize and execute the settlement agreement. This motion is not filed for purposes of delay.

On September 25, 2017, Preston Regehr, Petitioner’s counsel, consented to 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	09/26/2017	10/26/2017
Deadline for Discovery Conference	10/26/2017	11/25/2017
Discovery Opens	10/26/2017	11/25/2017
Initial Disclosures Due	11/25/2017	12/25/2017
Expert Disclosures Due	03/25/2018	04/24/2018
Discovery Period To Close	04/24/2018	05/24/2018
Plaintiff’s Pretrial Disclosures	06/08/2018	07/08/2018
Plaintiff’s 30-day Trial Period Ends	07/23/2018	08/22/2018
Defendant’s Pretrial Disclosures	08/07/2018	09/06/2018
Defendant’s 30-day Trial Period Ends	09/21/2018	10/21/2018
Plaintiff’s Rebuttal Disclosures	10/06/2018	11/05/2018
Plaintiff’s 15-day Rebuttal Period Ends	11/05/2018	12/05/2018

This 25th day of September, 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 September 25, 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