

ESTTA Tracking number: **ESTTA1132551**

Filing date: **05/10/2021**

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

Proceeding	92066661
Party	Plaintiff Nissin Foods Holdings Co., Ltd.
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Submission	Stipulated/Consent Motion to Extend
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Signature	/Joseph P. Grasser/
Date	05/10/2021
Attachments	2021-05-10_Consent Motion for 90-Day Extension of Time_Nissin v Momol P_Can No 92066661.pdf(16983 bytes)

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

NISSIN FOODS HOLDINGS CO., LTD.,

Petitioner,

v.

MOMOIP LLC,

Respondent.

Cancellation No. 92066661

TM: MOMOFUKU
(Reg. No. 4,200,140)

CONSENTED MOTION FOR EXTENSION OF TIME

The parties are engaged in ongoing negotiations for the settlement of this matter. Respondent, with Petitioner's express consent, respectfully requests that deadlines in this proceeding be extended for 90 days to allow the parties to continue their settlement efforts. The Board has ordered that the parties report on the progress of settlement negotiations since the last motion to extend, filed on February 18, 2021. In light of the ongoing pandemic in the United States and around the world, Respondent (headquartered in New York, New York) and Petitioner (headquartered in Japan) have not had an opportunity to meaningfully discuss or move forward on the specifics of open settlement terms, in part because these terms implicate international budgeting, marketing, and other business operations that remain impacted by global events and for which the future remains uncertain. Nevertheless, counsel for both parties have been in contact and believe that, with the improving global health situation, meaningful settlement discussions will resume in due course. So that the parties have adequate time to address these issues and engage in associated further discussions, the parties seek an extension of all deadlines for 90 days. Accordingly, the parties respectfully request that the Board reset the deadlines as shown below:

Discovery Closes	08/22/2021
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Plaintiff's Pretrial Disclosures	10/06/2021
Plaintiff's 30 Day Trial Period Ends	11/20/2021
Defendant's Pretrial Disclosures Due	12/05/2021
Defendant's 30 Day Trial Period Ends	01/19/2022
Plaintiff's Rebuttal Disclosures Due	02/03/2022
Plaintiff's 15 Day Rebuttal Period Ends	03/05/2022
Plaintiff's Opening Brief Due	05/04/2022
Defendant's Opening Brief Due	06/03/2022
Plaintiff's Reply Brief Due	06/18/2022
Request for Oral Hearing (optional) Due	06/28/2022

WHEREFORE, the parties respectfully requests that the Board enter an order extending the remaining deadlines in this proceeding for ninety (90) days.

This, the 10th day of May, 2021

**KILPATRICK TOWNSEND &
STOCKTON LLP**

/Joseph P. Grasser/

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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2021, a true and correct copy of the foregoing
CONSENTED MOTION FOR EXTENSION OF TIME was served on Petitioner's Attorney of
Record by electronic mail as follows:

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