ESTTA Tracking number: **ESTTA885564**

Filing date: **03/26/2018**

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

Proceeding	92067702
Party	Defendant Accumetric, LLC
Correspondence Address	ACCUMETRIC LLC 350 RING ROAD ELIZABETHTOWN, KY 42702 UNITED STATES
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Samantha M. Quimby
Filer's email	squimby@fbtlaw.com, fbtiplitigation@fbtlaw.com
Signature	/samantha m quimby/
Date	03/26/2018
Attachments	TTAB Motion to Reset Answer and other Dates - WIth Consent .pdf(93522 bytes)

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

IN THE MATTER OF: Trademark Registration No. 2,185,797 – METER MIX

DATE OF REGISTRATION: September 1, 1998

Hilger und Kern GmbH, Petitioner, v. Accumetric, LLC, Respondent.	)	Cancellation No.: 92067702

MOTION TO RESET TIME FOR RESPONDING TO PETITION FOR CANCELLATION (WITH CONSENT)

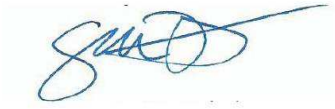
Accumetric, LLC ("Respondent"), by and through Counsel, hereby requests that the Board reset the Answer deadline to **March 26, 2018,** and that all subsequent discovery and trial dates be reset accordingly:

Time to Answer:	03/26/2018
Deadline for Discovery Conference:	04/25/2018
Discovery Opens:	04/25/2018
Initial Disclosures Due:	05/25/2018
Expert Disclosure Due:	09/22/2018
Discovery Closes:	10/22/2018
Plaintiff's Pretrial Disclosures:	12/06/2018
Plaintiff's 30-day Trial Period Ends:	01/20/2018
Defendant's Pretrial Disclosures:	02/06/2018
Defendant's 30-day Trial Period Ends:	03/22/2019
Plaintiff's Rebuttal Disclosures:	04/06/2019
Plaintiff's 15-day Rebuttal Period Ends:	05/06/2019
Plaintiff's Opening Brief Due:	07/05/2019
Defendant's Brief Due:	08/04/2019
Plaintiff's Reply Brief Due:	08/19/2019
Request for Oral Hearing (opt) Due	09/03/2019

Respondent's failure to file its Answer or otherwise respond by the date originally set by the Board was not an intentional omission: while Respondent was aware of related Proceeding No. 92067536 for Petitioner's Petition to Cancel Respondent's Registration No. 1,600,381 for METER-MIX, and filed its Answer timely in that case, it was not aware that the instant proceeding, namely Petitioner's Petition to Cancel Respondent's Registration No. 2,158,797 for METER MIX, had been formally initiated with the Trademark Trial and Appeal Board. As such, in a telephone conference dated March 22, 2018, and confirmed in follow up email communications dated March 23, 2018 and March 26, 2018, counsel for Respondent requested, and counsel for Petitioner consented, to Respondent's filing of a late Answer herein and to reset the dates as outlined above. Petitioner and Respondent are engaged in settlement talks as noted by the 60-day suspension of Proceeding No. 92067536, which, if successful, would resolve the issues in this instant proceeding as well. Moreover, the acceptance of the late Answer and the resetting of the dates herein, as noted above, merely extends all relevant dates by an approximate one (1) month and will not hinder the further progress of this instant proceeding.

Date: March 26, 2018

Respectfully submitted,



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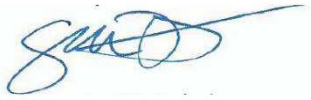
Attorneys for Respondent Accumetric, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO RESET TIME FOR RESPONDING TO PETITION FOR CANCELLATION (WITH CONSENT) was served via email on Attorneys for Petitioner at the following email addresses on this 26th day of March 2018:

trademarks@patentusa.com
office@patentusa.com
sstemer@patentusa.com



Samantha M. Quimby
Attorney for Respondent Accumetric LLC