

ESTTA Tracking number: **ESTTA1091421**

Filing date: **10/27/2020**

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

Proceeding	92067794
Party	Defendant The Burton Corporation
Correspondence Address	CATHLEEN E STADECKER DOWNS RACHLIN MARTIN PLLC 199 MAIN STREET PO BOX 190 BURLINGTON, VT 05402-0190 UNITED STATES Primary Email: tmip@drm.com 802-863-2375
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Cathleen E. Stadecker
Filer's email	tmip@drm.com
Signature	/cathleen e stadecker/
Date	10/27/2020
Attachments	Consent Motion to Extend.pdf(17899 bytes)

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

In the Matter of Reg. No. 2,207,535 issued on December 1, 1998
and Reg. No. 3,598,502 issued on March 31, 1999

Joshua S. Schoonover,	:	
	:	
Petitioner,	:	Cancellation No. 92067794 (parent)
	:	Cancellation No. 92069499
-against-	:	
	:	
The Burton Corporation	:	
	:	
Registrant.	:	
	:	

CONSENT MOTION TO EXTEND

The Defendant's current trial deadline is November 29, 2020. The Burton Corporation requests that such date be extended for 21 days, or until December 20, 2020, and that all subsequent dates be reset as follows:

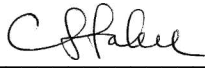
Time to Answer:	(Closed)
Deadline for Discovery Conference:	(Closed)
Discovery Opens:	(Closed)
Initial Disclosures Due:	(Closed)
Expert Disclosure Due:	(Closed)
Discovery Closes:	(Closed)
Plaintiff's Pretrial Disclosures:	(Closed)
Defendant's 30-day Trial Period Ends:	12/20/2020
Plaintiff's Rebuttal Disclosures:	01/04/2021
Plaintiff's 15-day Rebuttal Period Ends:	02/03/2021
Plaintiff's Opening Brief Due	04/04/2021
Defendant's Brief Due	05/04/2021
Plaintiff's Reply Brief Due	05/19/2021
Request for Oral Hearing	05/29/2021

Registrant respectfully submits that it has good cause for seeking a further 21-day extension of the remaining deadlines. The parties have been engaged in efforts to schedule oral cross-examination of Petitioner's expert trial witness, and Registrant requests this extension to accommodate the examination of the expert witness and obtain the transcript.

Petitioner Joshua S. Schoonover has expressly consented to this Motion, and has consented to the extension and resetting of dates as requested herein.

Respectfully submitted this 27th day of October, 2020.

DOWNS RACHLIN MARTIN PLLC

By:  _____

Cathleen E. Stadecker
Attorney for Registrant
The Burton Corporation
199 Main Street, P.O. Box 190
Burlington, VT 05402-0190
Phone: (802) 863-2375
Fax: (802) 862-7512

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2020, I electronically filed the foregoing document entitled **CONSENT MOTION TO EXTEND** using the Electronic System for Trademark Trials and Appeals system and that a copy has been served on Joshua S. Schoonover, Petitioner, by emailing said copy on October 27, 2020 to LawGroup@CoastalPatent.com.



Jennifer W. Parent