

ESTTA Tracking number: **ESTTA956150**

Filing date: **02/24/2019**

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

Proceeding No.	92070311
Filing Party	Defendant Glenn Garamella
Other Party	Plaintiff Naked Whey Inc.
Pending Motion	Yes, there is a motion currently pending or another motion is being filed concurrent with this consent motion.

### Consent Motion to Extend

The Deadline for Discovery Conference is currently set to close on 03/20/2019. Glenn Garamella requests that such date be extended for 30 days, or until 04/19/2019, and that all subsequent dates be reset accordingly.

Time to Answer	02/18/2019 (CLOSED)
Deadline for Discovery Conference	04/19/2019
Discovery Opens	04/19/2019
Initial Disclosures Due	05/19/2019
Expert Disclosures Due	09/16/2019
Discovery Closes	10/16/2019
Plaintiff's Pretrial Disclosures Due	11/30/2019
Plaintiff's 30-day Trial Period Ends	01/14/2020
Defendant's Pretrial Disclosures Due	01/29/2020
Defendant's 30-day Trial Period Ends	03/14/2020
Plaintiff's Rebuttal Disclosures Due	03/29/2020
Plaintiff's 15-day Rebuttal Period Ends	04/28/2020
Plaintiff's Opening Brief Due	06/27/2020
Defendant's Brief Due	07/27/2020
Plaintiff's Reply Brief Due	08/11/2020
Request for Oral Hearing (optional) Due	08/21/2020

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Counsel for Petitioner consented to an initial 7-day extension for Defendant's Answer. Defendant had to file a Consented Motion for 7-Day Extension (in lieu of an ESTTA Consent Motion) because the ESTTA drop-down menu only provided for 30-, 60-, and 90-day time extension options. Accordingly, that Motion is pending. Prior to the consented-to 7-day extension, Defendant's Answer was due on 02/18/2019; however, as this date fell on a federal holiday (i.e. President's Day) the due date for the Answer actually fell on 02/19/2019. On 02/19/2019, Defendant's undersigned counsel filed the aforementioned Consented Motion for 7-Day Extension. During a subsequent teleconference between counsel for Petitioner and counsel for Defendant, an agreement was reached that will result in Petitioner's withdrawal of the Cancellation proceeding. Petitioner's counsel, Heather Antoine, consented to this 30-day extension to provide herself adequate time to draft the Settlement Agreement for execution by the parties.*

Glenn Garamella has secured the express consent of all other parties to this proceeding for the extension

and resetting of dates requested herein.

## **Certificate of Service**

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/glenn gold/

Glenn E. Gold

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