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

Proceeding no.	92070872
Party	Plaintiff Dillard's, Inc.
Correspondence address	SIMOR MOSKOWITZ WESTERMAN HATTORI DANIELS & ADRIAN LLP 1250 CONNECTICUT AVENUE NW, SUITE 850 WASHINGTON, DC 20036 UNITED STATES Primary email: smoskowitz@whda.com Secondary email(s): trademarkmail@whda.com 202-822-1100
Submission	Stipulated/Consent Motion to Extend
Filer's name	Simor L. Moskowitz
Filer's email	smoskowitz@whda.com, tjeffery@whda.com, trademarkmail@whda.com
Signature	/Simor L. Moskowitz/
Date	04/11/2022
Attachments	Dillards v Flying Star Motion to Extend 04-11-2022.pdf(107643 bytes)

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

Dillard's, Inc.)	
)	
Petitioner)	
)	
v.)	Cancellation No. 92070872
)	
Flying Star LLC)	
)	
Respondent)	

CONSENTED MOTION TO EXTEND TRIAL DATES PENDING SETTLEMENT
NEGOTIATIONS

Petitioner, Dillard's, Inc. with the consent of Respondent, Flying Star, LLC, through their respective counsel, hereby moves for a further thirty (30) day extension of the trial dates in the above matter pending the parties' further settlement discussions and negotiations, as follows:

	<u>Current</u>	<u>Proposed</u>
Expert Disclosures Due	04/13/2022	05/13/2022
Discovery Due	05/12/2022	06/11/2022
Plaintiff's Pretrial Disclosures Due	06/26/2022	07/26/2022
Plaintiff's 30-day Trial Period Ends	08/10/2022	09/09/2022
Defendant's Pretrial Disclosures Due	08/25/2022	09/24/2022
Defendant's 30-day Trial Period Ends	10/09/2022	11/08/2022
Plaintiff's Rebuttal Disclosures Due	10/24/2022	11/23/2022
Plaintiff's 15-day Rebuttal Period Ends	11/23/2022	12/23/2022
Plaintiff's Opening Brief Due	01/23/2023	02/22/2023
Defendant's Brief Due	02/22/2023	03/24/2023
Plaintiff's Reply Brief Due	03/08/2023	04/07/2023
Request for Oral Hearing (optional) Due	03/18/2023	04/17/2023

The parties advise the Board that they are continuing to negotiate in an effort to amicably resolve the above matter. In this regard, Petitioner notes that Respondent's

counsel Katherine Bond forwarded a draft settlement agreement to Petitioner's undersigned counsel on January 19, 2022. Petitioner's counsel attempted to contact Ms. Bond to discuss the draft agreement on February 9 and 11, 2022, but learned that Ms. Bond was involved with a litigation deadline in another matter and was unable to engage with Petitioner's counsel. Counsel did engage in a telephone conference on March 13, 2022, as a result of which it appears that there is one remaining issue to be resolved before the draft agreement can be finalized. A revised draft of the proposed agreement was circulated on March 29, 2022, and is under consideration. The parties have consented to the further extension of time requested herein to allow for the draft agreement to be revised and finalized, which is still in process.

The parties are cautiously optimistic that a final agreement can be consummated within the extended period requested herein.

In any case, it is noted that the parties are currently actively engaged in attempting to reach a final resolution of this proceeding.

In view of the foregoing, Petitioner, for itself and on behalf of Respondent, respectfully submits that this consented request for extension of time is warranted and that its Motion therefore should be granted.

Respectfully submitted,

Dillard's Inc.

By: /Simor L. Moskowitz/
Simor L. Moskowitz
Westerman, Hattori, LLP
8500 Leesburg Pike, Suite 7500
Tysons, VA 22182
(703) 827-3800
(571) 395-8753 (fax)
smoskowitz@whda.com,
trademarkmail@whda.com
Attorneys for Petitioner

Dated: April 11, 2022

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing CONSENTED MOTION TO EXTEND TRIAL DATES PENDING SETTLEMENT NEGOTIATIONS was served electronically via email upon the attorney for Respondent:

Katherine Bond, Esq.
Cislo & Thomas LLP
12100 Wilshire Blvd., Suite 1700
Los Angeles, CA 90025
KBond@cislo.com

this 11th day of April, 2022.

/Simor L. Moskowitz/