

ESTTA Tracking number: **ESTTA1232535**

Filing date: **08/30/2022**

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

Proceeding no.	92080159
Party	Plaintiff York Eggleston
Correspondence address	JOSEPH T NABOR FITCH EVEN TABIN & FLANNERY LLP 120 SOUTH LASALLE STREET SUITE 2100 CHICAGO, IL 60603 UNITED STATES Primary email: trademark@fitcheven.com Secondary email(s): jtnabo@fitcheven.com, kstrachan@fitcheven.com 312-577-7000
Submission	Motion to Reopen
Filer's name	Kerianne A. Strachan
Filer's email	jtnabo@fitcheven.com, kstrachan@fitcheven.com, trademark@fitcheven.com
Signature	/Kerianne A. Strachan/
Date	08/30/2022
Attachments	Consented Motion to Reopen Time to File Answer and to Extend Deadline s - 21335-155362.pdf(136777 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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York Eggleston IV,)	
)	
Petitioner,)	
v.)	
)	CANCELLATION NO. 92080159
)	
Stand4 Outdoor Gear, LLC,)	
)	
Registrant.)	
)	
<hr style="width:40%; margin-left:0;"/>)	
Registration No.: 5714632)	
Registration Date: April 2, 2019)	
Mark: STAND4 & Design)	

Consented Motion to Reopen Time to File Answer and Reset Deadlines

The parties in this cancellation have resolved their dispute through an executed trademark assignment of Registration No. 5714632 to Petitioner, York Eggleston, IV. With the consent of Stand4 Outdoor Gear, LLC, and on behalf of the parties, Petitioner respectfully requests that the time to file Registrant’s Answer, which expired on August 28, 2022, be reopened with a new deadline of October 27, 2022. Additionally, the parties respectfully request that the proceeding be suspended for sixty days and that the deadlines in this case also be extended by sixty days following the resumption (as set out below) pending the U.S. Patent and Trademark Office’s (“USPTO”) recordation of the trademark assignment executed between the parties.

As the parties are awaiting the recordation of the trademark assignment, which was filed on August 29, 2022 with the USPTO, the parties have agreed to an extension. Based on the foregoing, the parties submit that good cause exists for the Board to grant the requested suspension of the proceeding and corresponding extension of the proceeding deadlines. The

parties therefore respectfully request that the Board suspend this proceeding for an additional sixty days from the date of this consented motion and also extend by sixty days and reset the proceeding deadlines as follows:

Time to Answer:	October 27, 2022
Deadline for Discovery Conference:	November 26, 2022
Discovery Opens:	November 26, 2022
Initial Disclosures Due:	December 26, 2022
Expert Disclosures Due:	April 25, 2023
Discovery Closes:	May 25, 2023
Plaintiff's Pretrial Disclosures Due:	July 9, 2023
Plaintiff's 30-day Trial Period Ends:	August 23, 2023
Defendant's Pretrial Disclosures Due:	September 7, 2023
Defendant's 30-day Trial Period Ends:	October 22, 2023
Plaintiff's Rebuttal Disclosures Due:	November 6, 2023
Plaintiff's 15-day Rebuttal Period Ends:	December 6, 2023
Plaintiff's Opening Brief Due:	February 4, 2024
Defendant's Brief Due:	March 5, 2024
Plaintiff's Reply Brief Due:	March 20, 2024
Request for Oral Hearing Due:	March 30, 2024.

As shown above, this suspension and extension request is not filed for the purposes of delay. The parties have executed a trademark assignment and submit that suspending the proceeding will save resources for the Board and for the parties. The owner of Stand4 Outdoor Gear, LLC, Mr. David Lucas, has indicated that he consents to this suspension and extension.

Respectfully submitted,

Dated: August 30, 2022

/Joseph T. Nabor/

Joseph T. Nabor
Kerianne A. Strachan
Fitch, Even, Tabin & Flannery LLP
120 S. LaSalle Street, Suite 2100
Chicago, IL 60603
Tel: 312-577-7000
Fax: 312-577-7007
jtnabo@fitcheven.com
kstrachan@fitcheven.com
trademark@fitcheven.com

Attorneys for Petitioner

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing Consented Motion to Suspend for Settlement for Sixty Days and to Extend Deadlines has been served by email upon all parties, at their email address of record and set forth below on this date:

David Lucas
Stand4 Outdoor Gear, LLC
2132 Greystone Circle
Catawba, South Carolina 29704
lucasoutdoorgear@yahoo.com

Registrant

Dated: August 30, 2022

/Kerianne A. Strachan/

Joseph T. Nabor
Kerianne A. Strachan
Fitch, Even, Tabin & Flannery LLP
120 S. LaSalle Street, Suite 2100
Chicago, IL 60603
Tel: 312-577-7000
Fax: 312-577-7007
jtnabo@fitcheven.com
kstrachan@fitcheven.com
trademark@fitcheven.com

Attorneys for Petitioner