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Filing date: **05/01/2023**

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

Proceeding no.	92080610
Party	Plaintiff York Eggleston, IV
Correspondence address	JOSEPH T. NABOR FITCH, EVEN, TABIN & FLANNERY LLP SUITE 2100 120 SOUTH LASALLE STREET CHICAGO, IL 60603 UNITED STATES Primary email: trademark@fitcheven.com Secondary email(s): jtnabo@fitcheven.com, kstrachan@fitcheven.com 312-577-7000
Submission	Stipulated/Consent Motion to Extend
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Signature	/Kerianne A. Strachan/
Date	05/01/2023
Attachments	21335-155793 - Consented Motion to Suspend for Settlement for Sixty D ays and to Extend Deadlines - 5-1-2023.pdf(126761 bytes )

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

York Eggleston, IV,  
Petitioner,

v.

Activist Artists Management, LLC,  
Respondent.

Cancellation No. 92080610

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**Consented Motion to Suspend  
for Settlement for Sixty Days and to Extend Deadlines**

Petitioner York Eggleston, IV (“Petitioner”) and Respondent Activist Artists Management, LLC (“Respondent”) are working to settle this cancellation proceeding. With the consent of Activist Artists Management, LLC and on behalf of the parties, York Eggleston, IV respectfully requests 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) to afford the parties the opportunity to complete and to finalize the terms of a written settlement agreement.

The parties are working on completing the terms of a settlement agreement and the proper expression of such terms based on coexistence that includes certain limitations on the use of each party’s mark. As the parties are currently working on completing the terms of a settlement agreement and memorializing such terms in a written settlement agreement, the parties have agreed to extend any deadlines related to this proceeding.

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 sixty days from the date of this consented motion and also extend by sixty days and reset the proceeding deadlines as follows:

Initial Disclosures Due:	July 1, 2023
Expert Disclosures Due:	October 29, 2023
Discovery Closes:	November 28, 2023
Plaintiff's Pretrial Disclosures Due:	January 12, 2024
Plaintiff's 30-day Trial Period Ends:	February 26, 2024
Defendant's Pretrial Disclosures Due:	March 12, 2024
Defendant's 30-day Trial Period Ends:	April 26, 2024
Plaintiff's Rebuttal Disclosures Due:	May 11, 2024
Plaintiff's 15-day Rebuttal Period Ends:	June 10, 2024
Plaintiff's Opening Brief Due:	August 9, 2024
Defendant's Brief Due:	September 8, 2024
Plaintiff's Reply Brief Due	September 23, 2024
Request for Oral Hearing Due:	October 3, 2024.

As shown above, this suspension and extension request is not filed for the purposes of delay. The parties are working on completing the terms of a settlement agreement and submit that suspending the proceeding will save resources for the Board and for the parties.

Respondent's attorney, Mr. Michael Denniston, has indicated that he consents to this suspension and extension.

Respectfully submitted,

Dated: May 1, 2023

/Joseph T. Nabor/  
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*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:

Michael S. Denniston  
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*Attorneys for Respondent*

Dated: May 1, 2023

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