

ESTTA Tracking number: **ESTTA759788**

Filing date: **07/21/2016**

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

Proceeding	91225358
Party	Plaintiff Kind Management Inc.
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Submission	Stipulated/Consent Motion to Extend
Filer's Name	Margarita Wallach, Esq.
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Signature	/mw/
Date	07/21/2016
Attachments	Opposition No. 91225358 7.21.16 Consented Motion to Extend.pdf(119958 bytes)

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

In the matter of Application
Serial No. 86/512,966
Filed: January 23, 2015
For the mark: **NATIVE KIND**
Published: June 16, 2015

KIND MANAGEMENT INC.,	:	OPPOSITION NO. 91225358
	:	
Opposer,	:	
	:	
v.	:	
	:	
APRIL VALENCIA,	:	
	:	
Applicant.	:	

Commissioner for Trademarks
United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**MOTION ON CONSENT TO EXTEND INITIAL DISCLOSURES, DISCOVERY AND
TRIAL PERIODS**

Opposer KIND Management Inc. (“Opposer”), requests that all deadlines in this proceeding be extended for thirty (30) days to allow the parties to continue settlement efforts. The parties have held a discovery conference and are in the process of discussing potential settlement terms. The parties hereby request that all deadlines in this proceeding, including the deadline for the initial disclosures, expert disclosures, close of discovery and all trial dates, be extended for thirty (30) days in order to allow the parties additional time to pursue settlement in this matter.

The deadline for the parties to serve initial disclosures is currently scheduled for July 22, 2016 and the close of discovery is currently scheduled for December 19, 2016. Opposer requests that such dates be extended for thirty (30) days, or until August 21, 2016 and January 18, 2017, respectively, and

that all subsequent dates be reset accordingly. Opposer proposes that the revised schedule for the proceedings be as follows:

Initial Disclosures Due :	08/21/2016
Expert Disclosures Due :	12/19/2016
Discovery Period to Close :	01/18/2017
Plaintiff Pretrial Disclosures :	03/04/2017
Plaintiff's 30-day Trial Period Ends :	04/18/2017
Defendant's Pretrial Disclosures :	05/03/2017
Defendant's 30-day Trial Period Ends :	06/18/2017
Plaintiff's Rebuttal Disclosures :	07/02/2017
Plaintiff's 15-day Rebuttal Period Ends :	08/01/2017

Applicant APRIL VALENCIA consented to this motion, which is requested to allow the parties time to continue settlement discussions, and prepare and execute a written settlement agreement.

Based on the foregoing, the parties respectfully request that the initial disclosures deadline and the discovery and trial periods be extended by thirty (30) days and reset accordingly, as set forth above.

This request is not made for purposes of delay.

Dated: July 21, 2016

Respectfully submitted,
McCarter & English, LLP

By: /Margarita Wallach/
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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion On Consent To Extend Initial Disclosures, Discovery And Trial Periods was served on the Applicant, by First Class Mail, at the following address:

Teresa Lee
Pryor Cashman LLP
7 Times Square
New York, NY 10036-6569

Dated: June 21, 2016


Danielle Lynch