

ESTTA Tracking number: **ESTTA1081338**

Filing date: **09/11/2020**

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

Proceeding	92074485
Party	Defendant Alibaba Group Holding Limited
Correspondence Address	ALEXIS P GRILLI NIXON PEABODY LLP 799 9TH STREET NW SUITE 500 WASHINGTON, DC 20001 UNITED STATES Primary Email: nptm@nixonpeabody.com Secondary Email(s): was.managing.clerk@nixonpeabody.com , ag-rilli@nixonpeabody.com 202-585-8000
Submission	Other Motions/Papers
Filer's Name	Alexis P. Grilli
Filer's email	nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , ag-rilli@nixonpeabody.com
Signature	/Alexis P. Grilli/
Date	09/11/2020
Attachments	FIFTH Consent Motion to Extend.pdf(14616 bytes)

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

VOLKSWAGEN AKTIENGESELLSCHAFT,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 92074485
)	Registration No. 4,540,993
ALIBABA GROUP HOLDING LIMITED)	
)	
Respondent/Registrant.)	
)	

FIFTH CONSENT MOTION TO EXTEND DEADLINES
FOR SETTLEMENT DISCUSSIONS

Respondent, Alibaba Group Holding Limited (“Respondent”), with the consent of Petitioner Volkswagen Aktiengesellschaft (“Petitioner”) hereby moves the Board to extend the deadline for Respondent to file its Answer and all remaining deadlines and trial dates for two (2) additional weeks in the above referenced proceeding in accordance with TBMP 509.02 as the parties are engaged in settlement discussions.

Upon acceptance of this motion, Respondent’s deadline to file its Answer will be set for September 27, 2020, and the remaining dates will be extended as follows:

Time to Answer	9/27/2020
Deadline for Discovery Conference	10/27/2020
Discovery Opens	10/27/2020
Initial Disclosures Due	11/26/2020
Expert Disclosures Due	3/26/2021
Discovery Closes	4/25/2021
Plaintiff’s Pretrial Disclosures Due	6/9/2021
Plaintiff’s 30-day Trial Period Ends	7/24/2021
Defendant’s Pretrial Disclosures Due	8/8/2021
Defendant’s 30-day Trial Period Ends	9/22/2021
Plaintiffs Rebuttal Disclosures Due	10/7/2021

Plaintiffs 15-day Rebuttal Period Ends	11/6/2021
Plaintiff's Opening Brief Due	1/5/2022
Defendant's Brief Due	2/4/2022
Plaintiffs Reply Brief Due	2/19/2022
Request for Oral Hearing (optional) Due	3/1/2022

In the event that this Motion is not granted, Respondent respectfully requests additional time to file its Answer.

Dated: September 11, 2020

Respectfully submitted,

NIXON PEABODY LLP

by: /Alexis P. Grilli/

Jeffrey L. Costellia
Lauren J. Arnold
Alexis P. Grilli
Nixon Peabody LLP
799 9th Street, N.W., Suite 500
Washington, D.C. 20001
202-585-8000 (Phone)
202-585-8080 (Facsimile)
nptm@nixonpeabody.com
was.managing.clerk@nixonpeabody.com
Counsel for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2020, I caused to be served via electronic mail a true and correct copy of the foregoing Fifth Consent Motion to Extend, upon the following:

Barth Xavier Derosa
Belzer PC
2905 Bull Street
Savannah, Ga 31405
bderosa@belzerlaw.com, rwomack@belzerlaw.com, paralegal@belzerlaw.com

/Alexis P. Grilli/
Alexis P. Grilli