

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:11-cv-00820–JLK

RIGHTHAVEN, LLC, a Nevada Limited Liability Company,

Plaintiff,

v.

ICONIX BRAND GROUP, INC., a Delaware Corporation;
ROC APPAREL GROUP LLC d/b/a ROCAWEAR, a New York Limited Liability Company;
and
MONIQUE BALCARRAN, an individual;

Defendants.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

Defendant, Iconix Brand Group, Inc. (“Iconix”), through counsel and pursuant to Fed. R. Civ. P. 6(b)(1)(A) and D.C. Colo. LR 6.1C, submits the following Unopposed Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff Righthaven, LLC’s (“Righthaven”) Complaint and Demand for Jury Trial. In support thereof, Iconix states as follows:

CERTIFICATE OF CONSULTATION

Pursuant to D.C.COLO.LCivR 7.1(A), counsel for Iconix conferred with counsel for Plaintiff regarding the subject matter of this Motion and is authorized to state that Plaintiff does not oppose the relief requested herein.

GROUNDS FOR MOTION

1. Iconix was served with a copy of the summons and Complaint on or about April 4, 2011. Iconix's answer or other response is currently due on April 25, 2011.

2. The Complaint asserts that Iconix has infringed Righthaven's alleged copyright in the photograph entitled "TSA Agent performs enhanced pat-downs," copyright registration No. VA0001751279. The Complaint also claims that Iconix is liable for vicarious copyright infringement of the same photograph.

3. Good cause is shown because Iconix's recently retained counsel, Natalie Hanlon-Leh of Faegre & Benson, LLP, will be traveling on business throughout the last week of April and the first two weeks of May. As such, Iconix's counsel needs additional time to review and analyze these copyright claims in order to adequately respond to the infringement allegations, and to adequately prepare and assert any potential defenses on behalf of Iconix.

4. The requested extension of thirty (30) days is not sought for any improper purpose or for purposes of unreasonable delay.

5. No prejudice will arise from this extension as no discovery or other proceedings have begun in this case.

6. No extension of time has been requested or granted for Iconix prior to this motion.

7. Pursuant to D.C.COLO.LCivR 6.1(E), a copy of this Motion has been served on Righthaven and all counsel of record. The undersigned counsel also certify that the subject of this Motion has been discussed with their respective client representative, and such person has no objection to this extension of time.

WHEREFORE, Defendant Iconix Brand Group, Inc. respectfully requests a brief extension of time of an additional thirty (30) days, up to and including May 25, 2011, for Iconix to answer or otherwise respond to Plaintiff's Complaint and Demand for Jury Trial.

Respectfully submitted this 25th day of April, 2011.

/s/ Spencer B. Ross
Natalie Hanlon-Leh
Spencer Ross
Faegre & Benson LLP
3200 Wells Fargo Center
1700 Lincoln Street
Denver, Colorado 80203
Telephone: (303) 607-3500
Email: nhanlon-leh@faegre.com
sross@faegre.com

Attorneys for Defendant
ICONIX BRAND GROUP, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2011, I electronically filed the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT** with the Clerk of the Court using the ECF/CM electronic filing system, which will send an electronic copy of this filing to the following counsel of record:

Steven G. Ganim
Righthaven, LLC
9960 West Cheyenne Avenue, Suite 210
Las Vegas, Nevada 89129-7701
Tel: (7-01) 527-5900
Fax: (702) 527-5909
sganim@righthaven.com

Shawn A. Mangano, Esq.
SHAWN A. MANGANO LTD.
9960 West Cheyenne Avenue, Suite 170
Las Vegas, Nevada 89129-7701
Tel: (7-01) 304-0432
Fax: (702) 922-3851
ashawn@manganolaw.com

s/ Spencer B. Ross