

ESTTA Tracking number: **ESTTA138594**

Filing date: **05/02/2007**

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

Proceeding.	91125727
Applicant	Plaintiff POWER MEASUREMENT, INC. AND POWER MEASUREMENT LTD
Other Party	Defendant SILICON ENERGY CORP.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 05/02/2007. POWER MEASUREMENT, INC. AND POWER MEASUREMENT LTD requests that such date be extended for 60 days, or until 07/01/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : CLOSED
Thirty-day testimony period for party in position of plaintiff to close : 07/01/2007
Thirty-day testimony period for party in position of defendant to close : 08/30/2007
Fifteen-day rebuttal testimony period to close : 10/14/2007

The grounds for this request are as follows:

- *The parties require an additional 60 days to attempt to conclude settlement. The Board required a report on settlement negotiations subsequent to the last extension granted in the event of a subsequent request. The parties therefore report as follows: This case was settled in July 2006. Documents were signed and fully executed by the parties. There was a condition in the completed settlement agreement that ripened in view of the Board's Order of August 30, 2006. Therefore, commencing in September 2006, the parties have been actively negotiating to address that condition. That is what these (new) settlement negotiations concern. Since the last extension, counsel for the parties have conferred and exchanged written communications. A settlement draft proposing a particular approach to address the condition was most recently propounded by opposer subsequent to the last extension. Applicant's counsel advised applicant that the applicant's counter-proposal will be provided shortly. The parties remain optimistic of addressing the condition to mutual satisfaction, which is anticipated to resolve the matter in full. Therefore, the parties respectfully request the extension sought.*

POWER MEASUREMENT, INC. AND POWER MEASUREMENT LTD has secured the express consent of all other parties to this proceeding for the extension requested herein.

POWER MEASUREMENT, INC. AND POWER MEASUREMENT LTD has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,
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05/02/2007