

ESTTA Tracking number: **ESTTA159198**

Filing date: **08/27/2007**

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

Proceeding.	91161944
Applicant	Plaintiff LABELTEX MILLS INCORPORATED
Other Party	Defendant Labeltex S.r.l.

## Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 08/28/2007. LABELTEX MILLS INCORPORATED requests that such date be extended for 90 days, or until 11/26/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 11/26/2007  
Thirty-day testimony period for party in position of plaintiff to close : 02/24/2008  
Thirty-day testimony period for party in position of defendant to close : 04/24/2008  
Fifteen-day rebuttal testimony period to close : 06/08/2008

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Applicant requires 30 additional days to provide its answers, responses and supplements to Opposer's discovery. Thereafter, Opposer will require 60 additional days to complete its previously begun but unfinished discovery. To satisfy the parties' needs, discovery and all trial dates should be extended 90 days and reset as set forth herein.*

LABELTEX MILLS INCORPORATED has secured the express consent of all other parties to this proceeding for the extension requested herein.

LABELTEX MILLS INCORPORATED 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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08/27/2007