

ESTTA Tracking number: **ESTTA212164**

Filing date: **05/16/2008**

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

Proceeding.	91162705
Applicant	Defendant Erbe Elektromedizin GmbH
Other Party	Plaintiff Sherwood Services AG

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 05/21/2008. Erbe Elektromedizin GmbH requests that such date be extended for 60 days, or until 07/20/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 07/20/2008
Thirty-day testimony period for party in position of plaintiff to close : 10/18/2008
Thirty-day testimony period for party in position of defendant to close : 12/17/2008
Fifteen-day rebuttal testimony period to close : 01/31/2009

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *The parties are engaged in settlement discussions. A draft of a proposed Settlement Agreement has been prepared and has been circulated among the parties. The Applicant is currently considering certain changes to the Agreement to be proposed to the Opposer, which hopefully can be made in the next few weeks.*

Erbe Elektromedizin GmbH has secured the express consent of all other parties to this proceeding for the extension requested herein.

Erbe Elektromedizin GmbH 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 First Class Mail on this date.

Respectfully submitted,

/Tamara Miller/

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