

ESTTA Tracking number: **ESTTA40348**

Filing date: **07/28/2005**

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

<b>Proceeding.</b>	91162831
<b>Applicant</b>	Defendant TORGOVY DOM "AROMA" TORGOVY DOM "AROMA" 5 Beregovoy Proezd RUX Moscow, 121087
<b>Other Party</b>	Plaintiff D & M NEW WORLD MANAGEMENT, INC.  ,

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

The Close of Plaintiff's Trial Period is currently set to close on 08/27/2005. TORGOVY DOM "AROMA" requests that such date be extended for 60 days, or until 10/26/2005, and that all subsequent dates be reset accordingly. The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *This request for an extension is sought to protect Applicant's rights to complete discovery because Opposer is requesting more time to respond to discovery. Discovery closed May 29, 2005 and Opposer has not as yet provided answers to Applicant's interrogatories and document requests which were served upon Opposer, via First Class Mail on May 25, 2005. The parties have further agreed that Opposer's Answers to Applicant's First Set of Interrogatories and First Request for Document Requests will be served upon Applicant on or before August 23, 2005. This Motion has been consented to by Gail E. Nickols, via email on July 28, 2005.*

TORGOVY DOM "AROMA" has secured the express consent of all other parties to this proceeding for the extension requested herein.

TORGOVY DOM "AROMA" 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,

/Marina E. Volin/

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