

ESTTA Tracking number: **ESTTA47093**

Filing date: **10/03/2005**

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

Proceeding.	91166211
Applicant	Defendant Winery Exchange, Inc. Winery Exchange, Inc. 35 Leveroni Court, Suite 100 Novato, CA 94949
Other Party	Plaintiff HERON WINES LaelyHeron 2269 Chestnut St., #861 San Francisco, CA 94123 UNITED STATES

Motion for an Extension of Time to Answer With Consent

Winery Exchange, Inc.'s answer is currently due on 10/04/2005, and the close of discovery is currently set for 02/27/2006. Winery Exchange, Inc. requests that its time to answer be extended by 30 days from the current due date, or until 11/03/2005. The grounds for applicant's request are as follows:

- *The parties are discussing settlement*

Winery Exchange, Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Winery Exchange, Inc. 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,

/per Oliver Colvin/

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10/03/2005