

ESTTA Tracking number: **ESTTA88915**

Filing date: **07/10/2006**

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

Proceeding.	91168015
Applicant	Defendant Kern, David A
Other Party	Plaintiff CAMPBELL LABORATORIES, INC.

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

The Close of Discovery is currently set to close on 10/01/2006. Kern, David A requests that such date be extended for 60 days, or until 11/30/2006, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 11/30/2006  
Thirty-day testimony period for party in position of plaintiff to close : 02/28/2007  
Thirty-day testimony period for party in position of defendant to close : 04/29/2007  
Fifteen-day rebuttal testimony period to close : 06/13/2007

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Kern, David A has secured the express consent of all other parties to this proceeding for the extension requested herein.

Kern, David A 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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07/10/2006