

ESTTA Tracking number: **ESTTA81543**

Filing date: **05/19/2006**

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

Proceeding.	91169059
Applicant	Defendant Lappert's Ice Cream, Inc.
Other Party	Plaintiff Lappert's Inc.

### **Motion for an Extension of Time to Answer With Consent**

Lappert's Ice Cream, Inc.'s answer is currently due on 05/19/2006, and the close of discovery is currently set for 08/25/2006. Lappert's Ice Cream, Inc. requests that its time to answer be extended by 60 days from the current due date, or until 07/18/2006. The grounds for applicant's request are as follows:

- *Defendant filed a motion to suspend the Board proceedings based on a pending civil action. The parties are awaiting a determination by the Board on that motion.*

Lappert's Ice Cream, Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Lappert's Ice Cream, 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,  
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