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

Proceeding.	91169231
Applicant	Plaintiff Barbara J. Schell M.D. PLLC
Other Party	Defendant SIMPSON, GRAHAM D.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 03/12/2009. Barbara J. Schell M.D. PLLC requests that such date be extended for 60 days, or until 05/11/2009, and that all subsequent dates be reset accordingly.

Discovery Period to Close :	CLOSED
Thirty-day testimony period for party in position of plaintiff to close :	05/11/2009
Thirty-day testimony period for party in position of defendant to close :	07/10/2009
Fifteen-day rebuttal testimony period to close :	08/24/2009

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *On February 9, 2009, Applicant's counsel informed Opposer's counsel that he intends to seek Applicant's authorization to expressly abandon the subject trademark application, which would close the opposition proceeding concerning the subject trademark application. Opposer's counsel is now informed that Applicant's counsel has not been able to get in touch and discuss with Applicant regarding the abandonment of the subject trademark application. In light of the rapid approach of the March 12, 2009 deadline, and to ensure that Applicant's counsel can secure Applicant's authorization to abandon the subject trademark application, Opposer respectfully moves the TTAB to extend the close of Opposer's Testimony Period for sixty (60) days.*

Barbara J. Schell M.D. PLLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Barbara J. Schell M.D. PLLC 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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03/05/2009