

ESTTA Tracking number: **ESTTA76308**

Filing date: **04/14/2006**

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

Proceeding.	91169597
Applicant	Defendant Lockard, Kenneth G. Lockard, Kenneth G. 7148 Demedici Circle Delray Beach, FL 33446
Other Party	Plaintiff FKA DISTRIBUTING CO. d/b/a HOMEDICS, INC.

Motion for an Extension of Time to Answer With Consent

Lockard, Kenneth G.'s answer is currently due on 04/17/2006, and the close of discovery is currently set for 09/24/2006. Lockard, Kenneth G. requests that its time to answer be extended by 30 days from the current due date, or until 05/17/2006. The grounds for applicant's request are as follows:

- *The parties are discussing settlement*
- *Plaintiff is willing to consider issues for settlement but is currently out of the country, and will not return until after the due date for the answer to the Opposition. Accordingly, both parties consent to extension of 30 days to allow plaintiff adequate time to return to this country and discuss issues with plaintiff's attorney. Plaintiff's attorney has also agreed to receive a copy of this request for extension by email.*

Lockard, Kenneth G. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Lockard, Kenneth G. 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,

/Ted W. Whitlock/

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04/14/2006