

ESTTA Tracking number: **ESTTA320625**

Filing date: **12/07/2009**

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

Proceeding.	91171281
Applicant	Plaintiff PomWonderful LLC
Other Party	Defendant Jarrow Formulas, Inc.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 12/10/2009. PomWonderful LLC requests that such date be extended for 60 days, or until 02/08/2010, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 02/08/2010
Thirty-day testimony period for party in position of
plaintiff to close : 05/09/2010
Thirty-day testimony period for party in position of
defendant to close : 07/08/2010
Fifteen-day rebuttal testimony period to close : 08/22/2010

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *In addition to having productive settlement discussions and needing additional discovery time, the parties are requesting consolidation of a newly filed opposition, Opposition No. 91191995, with this opposition as it is between the same parties, involving the same asserted marks and the same grounds for opposition.*

PomWonderful LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

PomWonderful LLC 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,
/s/ Danielle M Criona /s/
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12/07/2009