

ESTTA Tracking number: **ESTTA139909**

Filing date: **05/10/2007**

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 07/14/2007. PomWonderful LLC requests that such date be extended for 60 days, or until 09/12/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 09/12/2007  
Thirty-day testimony period for party in position of plaintiff to close : 12/11/2007  
Thirty-day testimony period for party in position of defendant to close : 02/09/2008  
Fifteen-day rebuttal testimony period to close : 03/25/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

PomWonderful LLC has secured the express consent of all other parties to this proceeding for the extension 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/christine l lofgren/  
Christine L. Lofgren  
trademarkdocket@jmbm.com  
mgjarratana@mccarter.com  
05/10/2007