

ESTTA Tracking number: **ESTTA169316**

Filing date: **10/17/2007**

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

Proceeding.	91172981
Applicant	Plaintiff J.L. Pennington
Other Party	Defendant GITZIT, Inc.

## Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 01/31/2008. J.L. Pennington requests that such date be extended for 60 days, or until 03/31/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 03/31/2008  
Thirty-day testimony period for party in position of plaintiff to close : 06/29/2008  
Thirty-day testimony period for party in position of defendant to close : 08/28/2008  
Fifteen-day rebuttal testimony period to close : 10/12/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

J.L. Pennington has secured the express consent of all other parties to this proceeding for the extension requested herein.

J.L. Pennington 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,  
/Peter K. Hahn/  
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10/17/2007