

ESTTA Tracking number: **ESTTA143529**

Filing date: **05/31/2007**

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

Proceeding.	91174116
Applicant	Defendant Skin Food Pty Ltd.
Other Party	Plaintiff Bausch & Lomb Incorporated

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

The Close of Discovery is currently set to close on 06/10/2007. Skin Food Pty Ltd. requests that such date be extended for 30 days, or until 07/10/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 07/10/2007  
Thirty-day testimony period for party in position of plaintiff to close : 10/08/2007  
Thirty-day testimony period for party in position of defendant to close : 12/07/2007  
Fifteen-day rebuttal testimony period to close : 01/21/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Skin Food Pty Ltd. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Skin Food Pty Ltd. 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,

/Gary S. Kindness/

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