

ESTTA Tracking number: **ESTTA245425**

Filing date: **10/28/2008**

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

Proceeding.	91176791
Applicant	Plaintiff UMG RECORDINGS, INC.
Other Party	Defendant MATTEL, INC.

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

The Close of Discovery is currently set to close on 10/29/2008. UMG RECORDINGS, INC. requests that such date be extended for 30 days, or until 11/28/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 11/28/2008  
Thirty-day testimony period for party in position of  
plaintiff to close : 02/26/2009  
Thirty-day testimony period for party in position of  
defendant to close : 04/27/2009  
Fifteen-day rebuttal testimony period to close : 06/11/2009

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *The parties are currently finishing their discovery depositions. A discovery deposition is scheduled to take place on November 5, 2008.*

UMG RECORDINGS, INC. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

UMG RECORDINGS, INC. 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/ Alexa L. Lewis  
Alexa L. Lewis  
all@msk.com, kls@msk.com  
CFitzgerald@kwikalaw.com  
10/28/2008