

ESTTA Tracking number: **ESTTA161359**

Filing date: **09/07/2007**

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

|             |   |
|-------------|---|
| Proceeding. | 91177625                                |
| Applicant   | Defendant<br>Dannon Company, Inc., The  |
| Other Party | Plaintiff<br>Kraft Foods Holdings, Inc. |

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

The Close of Discovery is currently set to close on 12/21/2007. Dannon Company, Inc., The requests that such date be extended for 60 days, or until 02/19/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 02/19/2008  
Thirty-day testimony period for party in position of plaintiff to close : 05/19/2008  
Thirty-day testimony period for party in position of defendant to close : 07/18/2008  
Fifteen-day rebuttal testimony period to close : 09/01/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Dannon Company, Inc., The has secured the express consent of all other parties to this proceeding for the extension requested herein.

Dannon Company, Inc., The 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,  
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09/07/2007