

ESTTA Tracking number: **ESTTA279831**

Filing date: **04/23/2009**

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

Proceeding.	91186212
Applicant	Plaintiff 3M ESPE AG
Other Party	Defendant Fluorotechnics Pty Limited

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

The Defendant's Time to Answer is currently set to close on 04/29/2009. 3M ESPE AG requests that such date be extended for 90 days, or until 07/28/2009, and that all subsequent dates be reset accordingly.

Time to Answer :	07/28/2009
Deadline for Discovery Conference :	08/27/2009
Discovery Opens :	08/27/2009
Initial Disclosures Due :	09/26/2009
Expert Disclosure Due :	01/24/2010
Discovery Closes :	02/23/2010
Plaintiff's Pretrial Disclosures :	04/09/2010
Plaintiff's 30-day Trial Period Ends :	05/24/2010
Defendant's Pretrial Disclosures :	06/08/2010
Defendant's 30-day Trial Period Ends :	07/23/2010
Plaintiff's Rebuttal Disclosures :	08/07/2010
Plaintiff's 15-day Rebuttal Period Ends :	09/06/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

3M ESPE AG has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

3M ESPE AG 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,  
/SWJ/

Scott W. Johnston  
sjohnston@merchantgould.com, slindemeier@merchantgould.com  
janice.housey@latimerip.com  
04/23/2009