

ESTTA Tracking number: **ESTTA263833**

Filing date: **01/30/2009**

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

Proceeding.	91188120
Applicant	Defendant PURE Bioscience
Other Party	Plaintiff DrugTech Corporation

## 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 01/31/2009. PURE Bioscience requests that such date be extended for 30 days, or until 03/02/2009, and that all subsequent dates be reset accordingly.

Time to Answer :	03/02/2009
Deadline for Discovery Conference :	04/01/2009
Discovery Opens :	04/01/2009
Initial Disclosures Due :	05/01/2009
Expert Disclosure Due :	08/29/2009
Discovery Closes :	09/28/2009
Plaintiff's Pretrial Disclosures :	11/12/2009
Plaintiff's 30-day Trial Period Ends :	12/27/2009
Defendant's Pretrial Disclosures :	01/11/2010
Defendant's 30-day Trial Period Ends :	02/25/2010
Plaintiff's Rebuttal Disclosures :	03/12/2010
Plaintiff's 15-day Rebuttal Period Ends :	04/11/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

PURE Bioscience has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

PURE Bioscience 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,  
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