

ESTTA Tracking number: **ESTTA327915**

Filing date: **01/21/2010**

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

Proceeding.	91189023
Applicant	Plaintiff Whataburger Partnership
Other Party	Defendant Sarkis Avakian

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

The Close of Discovery is currently set to close on 02/01/2010. Whataburger Partnership requests that such date be extended for 30 days, or until 03/03/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	02/01/2010
Discovery Closes :	03/03/2010
Plaintiff's Pretrial Disclosures :	04/17/2010
Plaintiff's 30-day Trial Period Ends :	06/01/2010
Defendant's Pretrial Disclosures :	06/16/2010
Defendant's 30-day Trial Period Ends :	07/31/2010
Plaintiff's Rebuttal Disclosures :	08/15/2010
Plaintiff's 15-day Rebuttal Period Ends :	09/14/2010

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*

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

Whataburger Partnership 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,

/ck/

Christopher Kelly

ckelly@wileyrein.com

sgarko@goodwinprocter.com

01/21/2010