

ESTTA Tracking number: **ESTTA278565**

Filing date: **04/16/2009**

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

Proceeding.	91189172
Applicant	Defendant Alapay Cellars, Inc.
Other Party	Plaintiff MASI AGRICOLA S.P.A.

## 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 04/18/2009. Alapay Cellars, Inc. requests that such date be extended for 60 days, or until 06/17/2009, and that all subsequent dates be reset accordingly.

Time to Answer :	06/17/2009
Deadline for Discovery Conference :	07/17/2009
Discovery Opens :	07/17/2009
Initial Disclosures Due :	08/16/2009
Expert Disclosure Due :	12/14/2009
Discovery Closes :	01/13/2010
Plaintiff's Pretrial Disclosures :	02/27/2010
Plaintiff's 30-day Trial Period Ends :	04/13/2010
Defendant's Pretrial Disclosures :	04/28/2010
Defendant's 30-day Trial Period Ends :	06/12/2010
Plaintiff's Rebuttal Disclosures :	06/27/2010
Plaintiff's 15-day Rebuttal Period Ends :	07/27/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Alapay Cellars, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Alapay Cellars, 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,  
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04/16/2009