

ESTTA Tracking number: **ESTTA388965**

Filing date: **01/18/2011**

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

Proceeding.	91193064
Applicant	Defendant Saeilo Enterprises, Inc.
Other Party	Plaintiff FN Herstal

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

The Close of Discovery is currently set to close on 06/30/2011. Saeilo Enterprises, Inc. requests that such date be extended for 30 days, or until 07/30/2011, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 07/30/2011  
 Thirty-day testimony period for party in position of plaintiff to close : 10/28/2011  
 Thirty-day testimony period for party in position of defendant to close : 12/27/2011  
 Fifteen-day rebuttal testimony period to close : 04/10/2012

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Due to multiple storms in Connecticut, where Defendant/Counterclaimant Saeilo Enterprises Inc. and its counsel are located, the US Postal Service mail delivery has been delayed on several instances in the past two weeks, and businesses and government agencies have been closed several days during that period. The Plaintiff's/Respondent's counsel's copy of its present Motion to Dismiss says it was mailed on January 3, 2011; however, it did not arrive at the undersigned counsel's office until January 10, 2011. The undersigned presumes the weather was responsible for the delay in receiving the mailed copy of the Motion. Plaintiff/Respondent's counsel was not required to email a copy to the undersigned, and the undersigned did not receive an emailed copy. The undersigned's January 10, 2011, receipt of the mailed copy of the Motion was the undersigned's first knowledge of it. Since January 10, 2011, another two storms (including an ice storm last night through today, January 18, 2011) have closed the undersigned counsel's office, closed local government agencies, and delayed US mail delivery in the region. Defendant/Counterclaimant and its undersigned counsel respectfully lodge this Consented Request for Extension of Time so they can confer on the present Motion to Dismiss and formulate a complete, proper response to it. Defendant/Counterclaimant and its undersigned counsel intend to conduct further settlement discussions with Plaintiff's/Respondent's counsel during the extension period, as well. Plaintiff's/Respondent's counsel is aware of the weather issues and consents to this request. Because the undersigned is unable to travel to a post office due to the present ice storm, the undersigned is transmitting an electronic copy of this Request via email to Plaintiff's/Respondent's counsel on this date, January 18, 2011, and will mail a copy via US Mail tomorrow, January 19, 2011.*

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

Saeilo Enterprises, 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,

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01/18/2011