

ESTTA Tracking number: **ESTTA172533**

Filing date: **11/02/2007**

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

Proceeding.	92046965
Applicant	Defendant ELM Development, LLC
Other Party	Plaintiff Gander Mountain Company

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

The Close of Discovery is currently set to close on 11/13/2007. ELM Development, LLC requests that such date be extended for 30 days, or until 12/13/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 12/13/2007  
Thirty-day testimony period for party in position of plaintiff to close : 03/12/2008  
Thirty-day testimony period for party in position of defendant to close : 05/11/2008  
Fifteen-day rebuttal testimony period to close : 06/25/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

ELM Development, LLC has secured the express consent of all other parties to this proceeding for the extension requested herein.

ELM Development, LLC 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,  
/Heather Kliebenstein/

Heather Kliebenstein  
hkliebenstein@merchantgould.com, aries@merchantgould.com  
ueland.kevin@dorsey.com  
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