

ESTTA Tracking number: **ESTTA28162**

Filing date: **03/14/2005**

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

Proceeding.	91157759
Applicant	Defendant Robert D. Newman and Specilaty Products of Missouri, Inc. NEWMAN, ROBERT D. P.O. Box 377 Greenwood, MO 64034
Other Party	Plaintiff The Sherwin-Williams Company ,

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 04/09/2005. Robert D. Newman and Specilaty Products requests that such date be extended for 90 days, or until 07/08/2005, and that all subsequent dates be reset accordingly. The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties have exchanged written discovery (interrogatories and requests for production of documents), but require a further extension of time in which to complete exchange of documents and depositions. The parties are also preparing to file a Stipulated Protective Order. Additionally, the parties are continuing to engage in potential settlement discussions. This extension was agreed to by counsel for the Plaintiff in a telephone conversation on March 10, 2005.*

Robert D. Newman and Specilaty Products has secured the express consent of all other parties to this proceeding for the extension requested herein.

Robert D. Newman and Specilaty Products 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,

/michael elbein/

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