

ESTTA Tracking number: **ESTTA44081**

Filing date: **09/02/2005**

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

<b>Proceeding.</b>	91163040
<b>Applicant</b>	Defendant Johnson & Johnson Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 089337001
<b>Other Party</b>	Plaintiff Tyco Healthcare Group LP  Tyco Healthcare Group LP 150 Glover Avenue Norwalk, CT 06856 UNITED STATES

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

The Close of Discovery is currently set to close on 09/05/2005. Johnson & Johnson requests that such date be extended for 30 days, or until 10/05/2005, and that all subsequent dates be reset accordingly. The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Johnson & Johnson has secured the express consent of all other parties to this proceeding for the extension requested herein.

Johnson & Johnson 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,

/AJP/

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09/02/2005