

ESTTA Tracking number: **ESTTA64587**

Filing date: **02/01/2006**

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

Proceeding.	91164559
Applicant	Plaintiff Bayer HealthCare LLC Bayer HealthCare LLC 100 Bayer Road Pittsburgh, PA 15205 UNITED STATES
Other Party	Defendant PeriodonTx Laboratories, Inc. PeriodonTx Laboratories, Inc. 224 W. Washington Street NetPort Center Suite 201 Sequim, WA 983823338

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 02/01/2006. Bayer HealthCare LLC requests that such date be extended for 60 days, or until 04/02/2006, and that all subsequent dates be reset accordingly. The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Bayer HealthCare LLC has secured the express consent of all other parties to this proceeding for the extension requested herein.

Bayer HealthCare 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,
/Phillip Barengolts/
Phillip Barengolts
pbarengolts@pattishall.com, rgeraldson@pattishall.com
dulin@innovationlaw.com
02/01/2006