

ESTTA Tracking number: **ESTTA43873**

Filing date: **09/01/2005**

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

<b>Proceeding.</b>	91165005
<b>Applicant</b>	Defendant THE PEDS COMPANY THE PEDS COMPANY 2150 COUNTRY CLUB ROAD SUITE 221 WINSTON-SALEM, NC 27104
<b>Other Party</b>	Plaintiff KNIT-RITE, INC. KNIT-RITE, INC. 120 OSAGE AVENUE KANSAS CITY, KS 66105

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

The Close of Discovery is currently set to close on 01/11/2006. THE PEDS COMPANY requests that such date be extended for 30 days, or until 02/10/2006, 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 are engaged in settlement discussions*

THE PEDS COMPANY has secured the express consent of all other parties to this proceeding for the extension requested herein.

THE PEDS COMPANY 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,  
/Arthur J. DeBaugh/  
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09/01/2005