

ESTTA Tracking number: **ESTTA92363**

Filing date: **07/31/2006**

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

Proceeding.	91166936
Applicant	Plaintiff Continuum Commerce, LLC
Other Party	Defendant Topco Holdings, Inc.

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

The Close of Discovery is currently set to close on 07/31/2006. Continuum Commerce, LLC requests that such date be extended for 90 days, or until 10/29/2006, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 10/29/2006  
Thirty-day testimony period for party in position of plaintiff to close : 01/27/2007  
Thirty-day testimony period for party in position of defendant to close : 03/28/2007  
Fifteen-day rebuttal testimony period to close : 05/12/2007

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Continuum Commerce, 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,  
/ksf/

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07/31/2006