ESTTA Tracking number: **ESTTA232160**

Filing date: **08/22/2008**

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

Proceeding.	91166972
Applicant	Plaintiff Phi Sciences
Other Party	Defendant 25 Market Share, LLP

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 08/22/2008. Phi Sciences requests that such date be extended for 30 days, or until 09/21/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close :	09/21/2008
Thirty-day testimony period for party in position of plaintiff to close :	12/20/2008
Thirty-day testimony period for party in position of defendant to close :	02/18/2009
Fifteen-day rebuttal testimony period to close :	04/04/2009

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *parties have tentatively settled the opposition and request that the TTAB amend applicant's application and allow opposer's application*

Phi Sciences has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Phi Sciences 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,
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08/22/2008