

ESTTA Tracking number: **ESTTA91793**

Filing date: **07/27/2006**

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

Proceeding.	91167306
Applicant	Defendant Axcan Pharma Inc.
Other Party	Plaintiff Ivax Corporation

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 09/20/2006. Axcan Pharma Inc. requests that such date be extended for 90 days, or until 12/19/2006, and that all subsequent dates be reset accordingly.

Discovery Period to Close : CLOSED
 Thirty-day testimony period for party in position of 12/19/2006
 plaintiff to close :
 Thirty-day testimony period for party in position of 02/17/2007
 defendant to close :
 Fifteen-day rebuttal testimony period to close : 04/03/2007

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Axcan Pharma Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Axcan Pharma Inc. 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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 07/27/2006