

ESTTA Tracking number: **ESTTA57584**

Filing date: **12/14/2005**

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

Proceeding.	91167390
Applicant	Defendant Freshway Specialty Foods, Inc. Freshway Specialty Foods, Inc. Unit 1130 11180 River Road CAX Richmond, BC, V6X 1Z5
Other Party	Plaintiff Floragem LLC Floragem LLC 3742 Bluebird Canyon Road Vista, CA 92084 UNITED STATES

Motion for an Extension of Time to Answer With Consent

Freshway Specialty Foods, Inc.'s answer is currently due on 12/15/2005, and the close of discovery is currently set for 05/24/2006. Freshway Specialty Foods, Inc. requests that its time to answer be extended by 60 days from the current due date, or until 02/13/2006. The grounds for applicant's request are as follows:

- *Applicant needs additional time to investigate the claim*
- *The parties are discussing settlement*

Freshway Specialty Foods, Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Freshway Specialty Foods, 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,

/bradley p. hartman/

Bradley P. Hartman

bhartman@stinsonmoheck.com, ustrademarks@stinsonmoheck.com

cfgoss@faysharpe.com

12/14/2005