

ESTTA Tracking number: **ESTTA84303**

Filing date: **06/07/2006**

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

Proceeding.	91167763
Applicant	Defendant Walton & Post, Inc.
Other Party	Plaintiff Mars, Incorporated

### **Motion for an Extension of Time to Answer With Consent**

Walton & Post, Inc.'s answer is currently due on 06/07/2006, and the close of discovery is currently set for 08/16/2006. Walton & Post, Inc. requests that its time to answer be extended by 30 days from the current due date, or until 07/07/2006. The grounds for applicant's request are as follows:

- *The parties are discussing settlement*

Walton & Post, Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Walton & Post, 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 First Class Mail on this date.

Respectfully submitted,  
/John Cyril Malloy, III/  
John Cyril Malloy, III  
jmalloy@malloylaw.com  
tkelly@fchs.com  
06/07/2006