Trademark Trial and Appeal Board Electronic Filing System. http://estta.uspto.gov

ESTTA Tracking number: **ESTTA104233**

Filing date: **10/13/2006**

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

Proceeding.	91168280
Applicant	Plaintiff Kellogg North America Company
Other Party	Defendant Gonzalez and Tapanes Foods, Inc.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 11/13/2006. Kellogg North America Company requests that such date be extended for 30 days, or until 12/13/2006, and that all subsequent dates be reset accordingly.

Discovery Period to Close :	CLOSED
Thirty-day testimony period for party in position of plaintiff to close :	12/13/2006
Thirty-day testimony period for party in position of defendant to close :	02/11/2007
Fifteen-day rebuttal testimony period to close :	03/28/2007

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Kellogg North America Company has secured the express consent of all other parties to this proceeding for the extension requested herein.

Kellogg North America Company 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,
/david r haarz/
David R. Haarz
tjcomparoni@hdp.com,dhaarz@hdp.com
dan.hampton@hklaw.com
10/13/2006