

ESTTA Tracking number: **ESTTA82904**

Filing date: **05/30/2006**

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

Proceeding.	91169412
Applicant	Defendant Holistic Fitness
Other Party	Plaintiff LEINER HEALTH SERVICES CORP.

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

Holistic Fitness's answer is currently due on 06/06/2006, and the close of discovery is currently set for 09/15/2006. Holistic Fitness requests that its time to answer be extended by 60 days from the current due date, or until 08/05/2006. The grounds for applicant's request are as follows:

- *Applicant needs additional time to investigate the claim*

Holistic Fitness has secured the express consent of all other parties to this proceeding for the extension requested herein.

Holistic Fitness 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,  
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05/30/2006