

ESTTA Tracking number: **ESTTA106239**

Filing date: **10/26/2006**

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

Proceeding.	91169474
Applicant	Defendant Charlotte Pipe and Foundry Company
Other Party	Plaintiff NIBCO, INC.

## Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 01/24/2007. Charlotte Pipe and Foundry Company requests that such date be extended for 90 days, or until 04/24/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 04/24/2007  
Thirty-day testimony period for party in position of  
plaintiff to close : 07/23/2007  
Thirty-day testimony period for party in position of  
defendant to close : 09/21/2007  
Fifteen-day rebuttal testimony period to close : 11/05/2007

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Charlotte Pipe and Foundry Company has secured the express consent of all other parties to this proceeding for the extension requested herein.

Charlotte Pipe and Foundry 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 First Class Mail on this date.

Respectfully submitted,

/Allison G. Runge/

Allison G. Runge

arunge@kennedycovington.com, arichey@kennedycovington.com

hreck@priceheneveld.com

10/26/2006