

ESTTA Tracking number: **ESTTA328011**

Filing date: **01/21/2010**

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

Proceeding.	91170571
Applicant	Plaintiff Yamaha Hatsudoki Kabushiki Kaisha Yamaha Motor Corporation, USA
Other Party	Defendant King's IP, LLC

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

The Close of Discovery is currently set to close on 01/27/2010. Yamaha Hatsudoki Kabushiki Kaisha requests that such date be extended for 30 days, or until 02/26/2010, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 02/26/2010  
Thirty-day testimony period for party in position of plaintiff to close : 05/27/2010  
Thirty-day testimony period for party in position of defendant to close : 07/26/2010  
Fifteen-day rebuttal testimony period to close : 09/09/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Opposer believes the parties have reached a settlement in principle. Opposer has sent Applicant a proposed written settlement agreement, which the parties require additional time to finalize. This extension is not requested for purposes of delay, but rather to avoid the burden and expense of discovery since the amicable settlement of this matter appears likely in the near future.*

Yamaha Hatsudoki Kabushiki Kaisha has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Yamaha Hatsudoki Kabushiki Kaisha 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,  
/Jason M. Gonder/  
Jason M. Gonder

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