

ESTTA Tracking number: **ESTTA134196**

Filing date: **04/06/2007**

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

Proceeding.	91170572
Applicant	Plaintiff GROWMARK, INC
Other Party	Defendant Ashland Inc.

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

The Close of Discovery is currently set to close on 04/09/2007. GROWMARK, INC requests that such date be extended for 60 days, or until 06/08/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 06/08/2007  
Thirty-day testimony period for party in position of plaintiff to close : 09/06/2007  
Thirty-day testimony period for party in position of defendant to close : 11/05/2007  
Fifteen-day rebuttal testimony period to close : 12/20/2007

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

GROWMARK, INC has secured the express consent of all other parties to this proceeding for the extension requested herein.

GROWMARK, 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,  
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04/06/2007