

ESTTA Tracking number: **ESTTA298538**

Filing date: **07/31/2009**

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

Proceeding.	91171566
Applicant	Plaintiff Primo Water Corporation
Other Party	Defendant Aldi Inc.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 07/31/2009. Primo Water Corporation requests that such date be extended for 60 days, or until 09/29/2009, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 09/29/2009
Thirty-day testimony period for party in position of plaintiff to close : 12/28/2009
Thirty-day testimony period for party in position of defendant to close : 02/26/2010
Fifteen-day rebuttal testimony period to close : 04/12/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *The parties have exchanged a detailed Settlement Agreement and have now worked through, they believe, many, if not all, of the major settlement issues. The parties will work diligently to complete their settlement discussions.*

Primo Water Corporation has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Primo Water Corporation 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,
/s/ Alice Carmichael Richey
Alice Carmichael Richey
alice.richey@klgates.com, vicki.burn@klgates.com
a_landmeier@smithlandmeier.com, v_elders@smithlandmeier.com
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