

ESTTA Tracking number: **ESTTA103827**

Filing date: **10/11/2006**

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

Proceeding.	91172176
Applicant	Defendant The Hess Collection Winery
Other Party	Plaintiff FL FOOD LION, INC. AND FOOD LION, LLC

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

The Hess Collection Winery's answer is currently due on 10/12/2006, and the close of discovery is currently set for 02/19/2007. The Hess Collection Winery requests that its time to answer be extended by 30 days from the current due date, or until 11/11/2006. The grounds for applicant's request are as follows:

- *The parties are discussing settlement*

The Hess Collection Winery has secured the express consent of all other parties to this proceeding for the extension requested herein.

The Hess Collection Winery 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,  
/Gregory N. Owen/  
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10/11/2006