

ESTTA Tracking number: **ESTTA99099**

Filing date: **09/13/2006**

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

Proceeding.	91172306
Applicant	Defendant EXCEPTIONAL INNOVATION, LLC
Other Party	Plaintiff LITE TOUCH, INC

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

EXCEPTIONAL INNOVATION, LLC's answer is currently due on 09/21/2006, and the close of discovery is currently set for 02/28/2007. EXCEPTIONAL INNOVATION, LLC requests that its time to answer be extended by 30 days from the current due date, or until 10/21/2006. The grounds for applicant's request are as follows:

- *Applicant needs additional time to investigate the claim*
- *The parties are discussing settlement*
- *The parties are currently engaged in a related Civil Action in the U.S. District Court for the Southern District of Ohio, Case No. C2-06-723.*

EXCEPTIONAL INNOVATION, LLC has secured the express consent of all other parties to this proceeding for the extension requested herein.

EXCEPTIONAL INNOVATION, LLC 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 USPS Express Mail Post Office to Addressee on this date.

Respectfully submitted,  
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09/13/2006