

ESTTA Tracking number: **ESTTA132554**

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

Proceeding.	91175328
Applicant	Defendant Bayerische Motoren Werke Aktiengesellschaft
Other Party	Plaintiff Getty Petroleum Marketing Inc.

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

The Close of Discovery is currently set to close on 08/13/2007. Bayerische Motoren Werke Aktiengesellschaft requests that such date be extended for 30 days, or until 09/12/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 09/12/2007  
Thirty-day testimony period for party in position of plaintiff to close : 12/11/2007  
Thirty-day testimony period for party in position of defendant to close : 02/09/2008  
Fifteen-day rebuttal testimony period to close : 03/25/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Bayerische Motoren Werke Aktiengesellschaft has secured the express consent of all other parties to this proceeding for the extension requested herein.

Bayerische Motoren Werke Aktiengesellschaft 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/dmd/

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