

ESTTA Tracking number: **ESTTA199183**

Filing date: **03/18/2008**

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

Proceeding.	91175685
Applicant	Plaintiff OMS Investments, Inc.
Other Party	Defendant General Hydroponics, Inc.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 04/22/2008. OMS Investments, Inc. requests that such date be extended for 90 days, or until 07/21/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 07/21/2008
Thirty-day testimony period for party in position of plaintiff to close : 10/19/2008
Thirty-day testimony period for party in position of defendant to close : 12/18/2008
Fifteen-day rebuttal testimony period to close : 02/01/2009

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *This request is requested in good faith and not for purposes of delay, as the parties have recently exchanged proposals for settlement and counsel are reviewing proposals with their respective clients with a view toward settling the matter. Accordingly, the parties request the Board grant the instant motion to extend the discovery and testimony periods.*

OMS Investments, Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

OMS Investments, 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,
/Britt L. Anderson/
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