

ESTTA Tracking number: **ESTTA196030**

Filing date: **03/04/2008**

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

|             |                                |
|-------------|--------------------------------|
| Proceeding. | 91177401                       |
| Applicant   | Plaintiff<br>Valrhona          |
| Other Party | Defendant<br>Fuze Beverage LLC |

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

The Close of Discovery is currently set to close on 03/06/2008. Valrhona requests that such date be extended for 60 days, or until 05/05/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 05/05/2008  
Thirty-day testimony period for party in position of  
plaintiff to close : 08/03/2008  
Thirty-day testimony period for party in position of  
defendant to close : 10/02/2008  
Fifteen-day rebuttal testimony period to close : 11/16/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Valrhona has secured the express consent of all other parties to this proceeding for the extension requested herein.

Valrhona 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,

/Kristin H. Altoff/

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