

ESTTA Tracking number: **ESTTA208667**

Filing date: **05/01/2008**

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

Proceeding.	91177401
Applicant	Plaintiff Valrhona
Other Party	Defendant Fuze Beverage LLC

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

The Close of Discovery is currently set to close on 05/05/2008. Valrhona requests that such date be extended for 60 days, or until 07/04/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 07/04/2008  
Thirty-day testimony period for party in position of  
plaintiff to close : 10/02/2008  
Thirty-day testimony period for party in position of  
defendant to close : 12/01/2008  
Fifteen-day rebuttal testimony period to close : 01/15/2009

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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Anita B. Polott/

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05/01/2008