

ESTTA Tracking number: **ESTTA258678**

Filing date: **01/05/2009**

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

Proceeding.	91179914
Applicant	Plaintiff Pinkberry, Inc.
Other Party	Defendant SHANGHAI WORTH GARDEN PRODUCTS CO., LTD., ZHEJIANG YUMBERRY JUICE CO., LTD.

Motion for an Extension of Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 02/18/2009. Pinkberry, Inc. requests that such date be extended for 30 days, or until 03/20/2009, and that all subsequent dates be reset accordingly.

Discovery Period to Close : CLOSED
 Thirty-day testimony period for party in position of 03/20/2009
 plaintiff to close :
 Thirty-day testimony period for party in position of 05/19/2009
 defendant to close :
 Fifteen-day rebuttal testimony period to close : 07/03/2009

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Pinkberry, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

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

Respectfully submitted,
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 01/05/2009