

ESTTA Tracking number: **ESTTA428815**

Filing date: **09/06/2011**

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

|             |   |
|-------------|---|
| Proceeding. | 91182907  |
| Applicant   | Plaintiff<br>Exide Technologies                   |
| Other Party | Defendant<br>Johnson Controls Battery Group, Inc. |

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

The Close of Discovery is currently set to close on 02/04/2012. Exide Technologies requests that such date be extended for 60 days, or until 04/04/2012, and that all subsequent dates be reset accordingly.

|   |            |
|---|------------|
| Time to Answer :                          | CLOSED     |
| Deadline for Discovery Conference :       | CLOSED     |
| Discovery Opens :                         | CLOSED     |
| Initial Disclosures Due :                 | CLOSED     |
| Expert Disclosure Due :                   | 03/05/2012 |
| Discovery Closes :                        | 04/04/2012 |
| Plaintiff's Pretrial Disclosures :        | 05/19/2012 |
| Plaintiff's 30-day Trial Period Ends :    | 07/03/2012 |
| Defendant's Pretrial Disclosures :        | 07/18/2012 |
| Defendant's 30-day Trial Period Ends :    | 09/01/2012 |
| Plaintiff's Rebuttal Disclosures :        | 09/16/2012 |
| Plaintiff's 15-day Rebuttal Period Ends : | 10/16/2012 |

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*

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

Exide Technologies 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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