

ESTTA Tracking number: **ESTTA261548**

Filing date: **01/20/2009**

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

Proceeding.	91187936
Applicant	Defendant DE LEON ARIZPE, RUBEN
Other Party	Plaintiff Home Depot U.S.A., Inc.

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

The Defendant's Time to Answer is currently set to close on 01/21/2009. DE LEON ARIZPE, RUBEN requests that such date be extended for 30 days, or until 02/20/2009, and that all subsequent dates be reset accordingly.

Time to Answer :	02/20/2009
Deadline for Discovery Conference :	03/22/2009
Discovery Opens :	03/22/2009
Initial Disclosures Due :	04/21/2009
Expert Disclosure Due :	08/19/2009
Discovery Closes :	09/18/2009
Plaintiff's Pretrial Disclosures :	11/02/2009
Plaintiff's 30-day Trial Period Ends :	12/17/2009
Defendant's Pretrial Disclosures :	01/01/2010
Defendant's 30-day Trial Period Ends :	02/15/2010
Plaintiff's Rebuttal Disclosures :	03/02/2010
Plaintiff's 15-day Rebuttal Period Ends :	04/01/2010

The grounds for this request are as follows:

- *Defendant is pondering the financial viability of pursuing this matter. Furthermore, attorney for Defendant will probably have to withdraw as its legal representative due to the fact that Plaintiff's law firm is and has been a client of Defendant's attorney in connection with Puerto Rico trademark matters.*

DE LEON ARIZPE, RUBEN has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

DE LEON ARIZPE, RUBEN 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,
/Arturo Perez-Guerrero/
Arturo Perez-Guerrero
arturo@perezguerrero.com, serviciosmarcaros2@yahoo.com
bress@fulbright.com, rgroos@fulbright.com
01/20/2009