

ESTTA Tracking number: **ESTTA414530**

Filing date: **06/15/2011**

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

Proceeding.	91189124
Applicant	Defendant Mpower Mobile, Inc.
Other Party	Plaintiff Yap Inc.

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

The Close of Plaintiff's Trial Period is currently set to close on 07/28/2011. Mpower Mobile, Inc. requests that such date be extended for 90 days, or until 10/26/2011, 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 :	CLOSED
Discovery Closes :	CLOSED
Plaintiff's Pretrial Disclosures :	09/11/2011
Plaintiff's 30-day Trial Period Ends :	10/26/2011
Defendant's Pretrial Disclosures :	11/10/2011
Defendant's 30-day Trial Period Ends :	12/25/2011
Plaintiff's Rebuttal Disclosures :	01/09/2012
Plaintiff's 15-day Rebuttal Period Ends :	02/08/2012

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *The parties provide the following report on the status of settlement, as requested by the Board in its order of April 18, 2011: The parties have been working diligently to attempt to finalize a settlement of this matter. The parties' new counsel have had several discussions, and met in person at the International Trademark Association annual meeting in San Francisco. These efforts have been fruitful, and a consensus as to the structure of a proposed agreement has been reached. A written settlement agreement is currently being drafted. However, additional time is needed to finalize the settlement agreement. Accordingly, the parties jointly request that these proceedings be suspended to allow the parties additional time to complete the settlement process. If any additional information would be helpful, please do not hesitate to contact the undersigned counsel for applicant, or any of the attorneys of record in this case.*

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

Mpower Mobile, 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 First Class Mail on this date.

Respectfully submitted,

/cl graff/

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