

ESTTA Tracking number: **ESTTA301576**

Filing date: **08/18/2009**

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

|             |   |
|-------------|---|
| Proceeding. | 91189258                                    |
| Applicant   | Defendant<br>PROKOZ, INC                    |
| Other Party | Plaintiff<br>Valent BioSciences Corporation |

## 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 08/19/2009. PROKOZ, INC requests that such date be extended for 30 days, or until 09/18/2009, and that all subsequent dates be reset accordingly.

|   |            |
|---|------------|
| Time to Answer :                          | 09/18/2009 |
| Deadline for Discovery Conference :       | 10/18/2009 |
| Discovery Opens :                         | 10/18/2009 |
| Initial Disclosures Due :                 | 11/17/2009 |
| Expert Disclosure Due :                   | 03/17/2010 |
| Discovery Closes :                        | 04/16/2010 |
| Plaintiff's Pretrial Disclosures :        | 05/31/2010 |
| Plaintiff's 30-day Trial Period Ends :    | 07/15/2010 |
| Defendant's Pretrial Disclosures :        | 07/30/2010 |
| Defendant's 30-day Trial Period Ends :    | 09/13/2010 |
| Plaintiff's Rebuttal Disclosures :        | 09/28/2010 |
| Plaintiff's 15-day Rebuttal Period Ends : | 10/28/2010 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

PROKOZ, 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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08/18/2009