

ESTTA Tracking number: **ESTTA476127**

Filing date: **06/04/2012**

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

|             |   |
|-------------|---|
| Proceeding. | 91189781                                  |
| Applicant   | Plaintiff<br>Vintage Pharmaceuticals, LLC |
| Other Party | Defendant<br>The Concept Foundation       |

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

The Close of Discovery is currently set to close on 06/06/2012. Vintage Pharmaceuticals, LLC requests that such date be extended for 90 days, or until 09/04/2012, 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 :                   | 08/05/2012 |
| Discovery Closes :                        | 09/04/2012 |
| Plaintiff's Pretrial Disclosures :        | 10/19/2012 |
| Plaintiff's 30-day Trial Period Ends :    | 12/03/2012 |
| Defendant's Pretrial Disclosures :        | 12/18/2012 |
| Defendant's 30-day Trial Period Ends :    | 02/01/2013 |
| Plaintiff's Rebuttal Disclosures :        | 02/16/2013 |
| Plaintiff's 15-day Rebuttal Period Ends : | 03/18/2013 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Vintage Pharmaceuticals, LLC 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,  
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06/04/2012