

ESTTA Tracking number: **ESTTA377035**

Filing date: **11/05/2010**

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

Proceeding.	91192554
Applicant	Plaintiff Cook Incorporated
Other Party	Defendant MTP Medical Technical Promotion GmbH

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

The Close of Discovery is currently set to close on 02/08/2011. Cook Incorporated requests that such date be extended for 30 days, or until 03/10/2011, 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 :	02/08/2011
Discovery Closes :	03/10/2011
Plaintiff's Pretrial Disclosures :	04/24/2011
Plaintiff's 30-day Trial Period Ends :	06/08/2011
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	06/23/2011
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	08/07/2011
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	08/22/2011
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends :	10/06/2011
Counterclaim Plaintiff's Rebuttal Disclosures Due :	10/21/2011
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	11/20/2011
Plaintiff's Trial Brief Due :	01/19/2012
Defendant 's Trial Brief and Plaintiff in the Counterclaim Due :	02/18/2012
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	03/19/2012
Reply Brief, if any, for Plaintiff in the Counterclaim Due :	04/03/2012

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*

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

Cook Incorporated 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,

/Marta L. Paul/

Marta L. Paul

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11/05/2010