

ESTTA Tracking number: **ESTTA474401**

Filing date: **05/24/2012**

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

|             |                                   |
|-------------|-----------------------------------|
| Proceeding. | 91193491                          |
| Applicant   | Defendant<br>Telefonica, S.A.     |
| Other Party | Plaintiff<br>ATI Technologies ULC |

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

The Close of Discovery is currently set to close on 05/24/2012. Telefonica, S.A. requests that such date be extended for 60 days, or until 07/23/2012, 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 :                   | 06/23/2012 |
| Discovery Closes :                        | 07/23/2012 |
| Plaintiff's Pretrial Disclosures :        | 09/06/2012 |
| Plaintiff's 30-day Trial Period Ends :    | 10/21/2012 |
| Defendant's Pretrial Disclosures :        | 11/05/2012 |
| Defendant's 30-day Trial Period Ends :    | 12/20/2012 |
| Plaintiff's Rebuttal Disclosures :        | 01/04/2013 |
| Plaintiff's 15-day Rebuttal Period Ends : | 02/03/2013 |

The grounds for this request are as follows:

- *The parties are engaged in settlement discussions and there has been a change of representative counsel with the first representing Opposer from Teresa Tambolas, Esq. (who has left such firm) to Belinda Scrimenti, Esq. The parties are still engaged in settlement negotiation. The parties have exchanged written settlement terms but further time is needed to finalize such settlement terms. The parties anticipate that settlement can be completed during the requested extension period.*

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

Telefonica, S.A. 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,  
/CPL/

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05/24/2012