

ESTTA Tracking number: **ESTTA345940**

Filing date: **05/06/2010**

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

Proceeding.	91193559
Applicant	Defendant LUSTOUR INC.
Other Party	Plaintiff Ashcove Eneterprises PTY Ltd

## 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 05/07/2010. LUSTOUR INC. requests that such date be extended for 30 days, or until 06/06/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	06/06/2010
Deadline for Discovery Conference :	07/06/2010
Discovery Opens :	07/06/2010
Initial Disclosures Due :	08/05/2010
Expert Disclosure Due :	12/03/2010
Discovery Closes :	01/02/2011
Plaintiff's Pretrial Disclosures :	02/16/2011
Plaintiff's 30-day Trial Period Ends :	04/02/2011
Defendant's Pretrial Disclosures :	04/17/2011
Defendant's 30-day Trial Period Ends :	06/01/2011
Plaintiff's Rebuttal Disclosures :	06/16/2011
Plaintiff's 15-day Rebuttal Period Ends :	07/16/2011

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

LUSTOUR 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,  
/Robert A. Blaha/  
Robert A. Blaha  
bblaha@sentrylg.com  
ggolla@merchantgould.com  
05/06/2010