

ESTTA Tracking number: **ESTTA434248**

Filing date: **10/06/2011**

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

Proceeding.	91197253
Applicant	Defendant Pathway Genomics Corporation
Other Party	Plaintiff Pathway Medical Technologies, Inc.

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 10/10/2011. Pathway Genomics Corporation requests that such date be extended for 60 days, or until 12/09/2011, and that all subsequent dates be reset accordingly.

Time to Answer :	12/09/2011
Deadline for Discovery Conference :	01/08/2012
Discovery Opens :	01/08/2012
Initial Disclosures Due :	02/07/2012
Expert Disclosure Due :	06/06/2012
Discovery Closes :	07/06/2012
Plaintiff's Pretrial Disclosures :	08/20/2012
Plaintiff's 30-day Trial Period Ends :	10/04/2012
Defendant's Pretrial Disclosures :	10/19/2012
Defendant's 30-day Trial Period Ends :	12/03/2012
Plaintiff's Rebuttal Disclosures :	12/18/2012
Plaintiff's 15-day Rebuttal Period Ends :	01/17/2013

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Pathway Genomics Corporation 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,

/ck3/

Carl A. Kukkonen, III

CAKukkonen@mintz.com

victork@speckmanlaw.com

10/06/2011