ESTTA Tracking number: **ESTTA388296**

Filing date: **01/13/2011**

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

Proceeding.	91197762
Applicant	Defendant Delphix Corp.
Other Party	Plaintiff Embarcadero 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 01/17/2011. Delphix Corp. requests that such date be extended for 30 days, or until 02/16/2011, and that all subsequent dates be reset accordingly.

Time to Answer :	02/16/2011
Deadline for Discovery Conference :	03/18/2011
Discovery Opens :	03/18/2011
Initial Disclosures Due :	04/17/2011
Expert Disclosure Due :	08/15/2011
Discovery Closes :	09/14/2011
Plaintiff's Pretrial Disclosures :	10/29/2011
Plaintiff's 30-day Trial Period Ends :	12/13/2011
Defendant's Pretrial Disclosures :	12/28/2011
Defendant's 30-day Trial Period Ends :	02/11/2012
Plaintiff's Rebuttal Disclosures :	02/26/2012
Plaintiff's 15-day Rebuttal Period Ends :	03/27/2012

The grounds for this request are as follows:

- *the defendant has hired new counsel to represent them for the opposition therefore, new counsel needs additional time to review the case*

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

Delphix Corp. 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,
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01/13/2011