

ESTTA Tracking number: **ESTTA429229**

Filing date: **09/07/2011**

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

Proceeding.	91199399
Applicant	Defendant Points.com Inc.
Other Party	Plaintiff MyPoints.com, 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 09/20/2011. Points.com Inc. requests that such date be extended for 60 days, or until 11/19/2011, and that all subsequent dates be reset accordingly.

Time to Answer :	11/19/2011
Deadline for Discovery Conference :	12/19/2011
Discovery Opens :	12/19/2011
Initial Disclosures Due :	01/18/2012
Expert Disclosure Due :	05/17/2012
Discovery Closes :	06/16/2012
Plaintiff's Pretrial Disclosures :	07/31/2012
Plaintiff's 30-day Trial Period Ends :	09/14/2012
Defendant's Pretrial Disclosures :	09/29/2012
Defendant's 30-day Trial Period Ends :	11/13/2012
Plaintiff's Rebuttal Disclosures :	11/28/2012
Plaintiff's 15-day Rebuttal Period Ends :	12/28/2012

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Points.com 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 First Class Mail on this date.

Respectfully submitted,

/R. Lee Fraley/

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