

ESTTA Tracking number: **ESTTA528446**

Filing date: **03/25/2013**

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

Proceeding.	91205803
Applicant	Plaintiff Vertex Pharmaceuticals Incorporated
Other Party	Defendant Hercules Brand Corporation

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

The Close of Discovery is currently set to close on 04/03/2013. Vertex Pharmaceuticals Incorporated requests that such date be extended for 30 days, or until 05/03/2013, 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 :	04/03/2013
Discovery Closes :	05/03/2013
Plaintiff's Pretrial Disclosures :	06/17/2013
Plaintiff's 30-day Trial Period Ends :	08/01/2013
Defendant's Pretrial Disclosures :	08/16/2013
Defendant's 30-day Trial Period Ends :	09/30/2013
Plaintiff's Rebuttal Disclosures :	10/15/2013
Plaintiff's 15-day Rebuttal Period Ends :	11/14/2013

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*

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

Vertex Pharmaceuticals Incorporated 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,

/ Steven Abreu /

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