

ESTTA Tracking number: **ESTTA74370**

Filing date: **04/04/2006**

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

Proceeding.	92044254
Applicant	Defendant Live Bait, L.L.C. Live Bait, L.L.C. 2868 Acton Road, Suite 204 Birmingham, AL 35243
Other Party	Plaintiff Theme Food, Inc.

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

The Close of Discovery is currently set to close on 04/05/2006. Live Bait, L.L.C. requests that such date be extended for 60 days, or until 06/04/2006, and that all subsequent dates be reset accordingly. The grounds for this request are as follows:

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

Live Bait, L.L.C. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Live Bait, L.L.C. 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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04/04/2006