

ESTTA Tracking number: **ESTTA44237**

Filing date: **09/06/2005**

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

<b>Proceeding.</b>	92044757
<b>Applicant</b>	Defendant Levine, Seth Levine, Seth 30 Kirkwood Road Brighton, MA 02135
<b>Other Party</b>	Plaintiff LEICA MICROSYSTEMS IR GMBH LEICA MICROSYSTEMS IR GMBH ERNST-LEITZ-STRASSE 17-37 DEX D-35578 WETZLAR,

### **Motion for an Extension of Time to Answer With Consent**

Levine, Seth's answer is currently due on 08/31/2005, and the close of discovery is currently set for 02/07/2006. Levine, Seth requests that its time to answer be extended by 30 days from the current due date, or until 09/30/2005. The grounds for applicant's request are as follows:

- *Registrant's attorney had a baby boy last week and his wife was hospitalized all week. Counsel for Petition, William Sauers, has consented to the Extension.*

Levine, Seth has secured the express consent of all other parties to this proceeding for the extension requested herein.

Levine, Seth 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,  
/ErikMPelton/  
Erik M. Pelton  
emp@tm4smallbiz.com  
wsauers@crowell.com  
09/06/2005