

ESTTA Tracking number: **ESTTA207662**

Filing date: **04/28/2008**

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

Proceeding.	92046260
Applicant	Plaintiff DUNHAM'S ATHLEISURE CORPORATION
Other Party	Defendant NEW BALANCE ATHLETIC SHOE, INC.

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

The Close of Plaintiff's Trial Period is currently set to close on 05/31/2008. DUNHAM'S ATHLEISURE CORPORATION requests that such date be extended for 30 days, or until 06/30/2008, and that all subsequent dates be reset accordingly.

Discovery Period to Close :                                       CLOSED  
Thirty-day testimony period for party in position of     06/30/2008  
plaintiff to close :  
Thirty-day testimony period for party in position of     08/29/2008  
defendant to close :  
Fifteen-day rebuttal testimony period to close :         10/13/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

DUNHAM'S ATHLEISURE CORPORATION has secured the express consent of all other parties to this proceeding for the extension requested herein.

DUNHAM'S ATHLEISURE CORPORATION 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,  
/hope v shovein/

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