

ESTTA Tracking number: **ESTTA155531**

Filing date: **08/08/2007**

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

Proceeding.	92047176
Applicant	Plaintiff AVS Inc.
Other Party	Defendant Laboratorios Le Roy, S.A. de C.V.

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

The Close of Discovery is currently set to close on 09/23/2007. AVS Inc. requests that such date be extended for 90 days, or until 12/22/2007, and that all subsequent dates be reset accordingly.

Discovery Period to Close : 12/22/2007  
Thirty-day testimony period for party in position of plaintiff to close : 03/21/2008  
Thirty-day testimony period for party in position of defendant to close : 05/20/2008  
Fifteen-day rebuttal testimony period to close : 07/04/2008

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

AVS Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

AVS 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,

/LES/

Laura E. Smith

lsmith@creativity-law.com

gborababy@pattonboggs.com

08/08/2007