

ESTTA Tracking number: **ESTTA250405**

Filing date: **11/21/2008**

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

|             |                                   |
|-------------|-----------------------------------|
| Proceeding. | 92048738                          |
| Applicant   | Defendant<br>Wayne Stuart Ogren   |
| Other Party | Plaintiff<br>SunPower Corporation |

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

The Defendant's Time to Answer is currently set to close on 11/24/2008. Wayne Stuart Ogren requests that such date be extended for 30 days, or until 12/24/2008, and that all subsequent dates be reset accordingly.

|   |            |
|---|------------|
| Time to Answer :                          | 12/24/2008 |
| Deadline for Discovery Conference :       | 01/23/2009 |
| Discovery Opens :                         | 01/23/2009 |
| Initial Disclosures Due :                 | 02/22/2009 |
| Expert Disclosure Due :                   | 06/22/2009 |
| Discovery Closes :                        | 07/22/2009 |
| Plaintiff's Pretrial Disclosures :        | 09/05/2009 |
| Plaintiff's 30-day Trial Period Ends :    | 10/20/2009 |
| Defendant's Pretrial Disclosures :        | 11/04/2009 |
| Defendant's 30-day Trial Period Ends :    | 12/19/2009 |
| Plaintiff's Rebuttal Disclosures :        | 01/03/2010 |
| Plaintiff's 15-day Rebuttal Period Ends : | 02/02/2010 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Wayne Stuart Ogren has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Wayne Stuart Ogren 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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11/21/2008