

ESTTA Tracking number: **ESTTA306470**

Filing date: **09/16/2009**

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

Proceeding.	92051039
Applicant	Plaintiff SWIMC, Inc.
Other Party	Defendant Professional Coatings, Inc.

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

The Close of Discovery is currently set to close on 03/16/2010. SWIMC, Inc. requests that such date be extended for 60 days, or until 05/15/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	04/15/2010
Discovery Closes :	05/15/2010
Plaintiff's Pretrial Disclosures :	06/29/2010
Plaintiff's 30-day Trial Period Ends :	08/13/2010
Defendant's Pretrial Disclosures :	08/28/2010
Defendant's 30-day Trial Period Ends :	10/12/2010
Plaintiff's Rebuttal Disclosures :	10/27/2010
Plaintiff's 15-day Rebuttal Period Ends :	11/26/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

SWIMC, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

SWIMC, 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,  
/Deron A. Cook/  
Deron A. Cook  
legal\_ip@sherwin.com  
dbhaase@sbcglobal.net  
09/16/2009