ESTTA Tracking number: **ESTTA371374**

Filing date: **10/01/2010**

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

Proceeding.	92052498
Applicant	Defendant Elara Nutriceuticals, Inc.
Other Party	Plaintiff Nycomed US Inc.

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 10/04/2010. Elara Nutriceuticals, Inc. requests that such date be extended for 60 days, or until 12/03/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	12/03/2010
Deadline for Discovery Conference :	01/02/2011
Discovery Opens :	01/02/2011
Initial Disclosures Due :	02/01/2011
Expert Disclosure Due :	06/01/2011
Discovery Closes :	07/01/2011
Plaintiff's Pretrial Disclosures :	08/15/2011
Plaintiff's 30-day Trial Period Ends :	09/29/2011
Defendant's Pretrial Disclosures :	10/14/2011
Defendant's 30-day Trial Period Ends :	11/28/2011
Plaintiff's Rebuttal Disclosures :	12/13/2011
Plaintiff's 15-day Rebuttal Period Ends :	01/12/2012

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Elara Nutriceuticals, 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,
/James David Johnson/
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10/01/2010