

TTAB



01-13-2003

**THE UNITED STATES PATENT AND TRADEMARK OFFICE
FOR THE TRADEMARK TRIAL AND APPEAL BOARD**

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

Countdown to trial

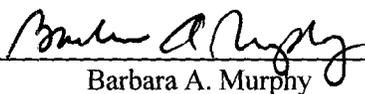
RaceTrac Petroleum, Opposer

v.

ETW Corporation, Applicant

Opposition No. 117,623

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to Box TTAB No Fee, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date shown below.



Barbara A. Murphy
Jan 10, 2003

January 10, 2003

APPLICANT'S MOTION TO EXTEND THE TESTIMONY PERIOD

Applicant ETW Corporation hereby moves to extend the testimony period for Applicant and the rebuttal testimony period of Opposer RaceTrac Petroleum, Inc. Pursuant to prior requests to extend the schedule, Applicant's testimony period is scheduled to close on January 10, 2003. Applicant requests that this period be extended by one month until February 10, 2003. Applicant submits that good cause exists for this extension because of holiday schedules, personal commitments and ongoing and unanticipated scheduling conflicts that have arisen in other matters that have prevented counsel for Applicant from completing the necessary testimony during the assigned period. Applicant submits that this extension would not unnecessarily delay the proceedings in this matter.

DD

Opposition No. 117,623
Mark: RACEWAY & Design
Serial No. 75/321,745

Resetting of the dates is respectfully requested. If granted, this would reschedule times as follows:

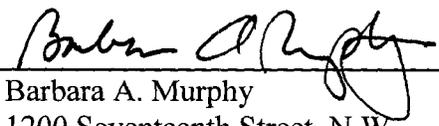
	<u>Present Date:</u>	<u>New Date:</u>
30-day Testimony period for party in position of defendant to close (opening thirty (30) days prior thereto)	January 10, 2003	February 10, 2003
15-day Rebuttal Testimony period to close (opening fifteen (15) days prior thereto)	February 28, 2003	March 28, 2003

Based on the Opposer's opposition to Applicant's most recent request, Opposer will oppose this extension. Applicant submits, however, that a final one-month extension in this matter would not prejudice the Opposer, whose registrations are in full force and effect, despite the pendency of this proceeding. A copy of this Request is being sent concurrently to counsel for Opposer. For the foregoing reasons, Applicant respectfully requests that the proposed rescheduling be granted.

Respectfully submitted,

Adduci, Mastriani & Schaumberg, L.L.P.

By:


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ETW Corporation

Dated: January 10, 2003
ETW701402

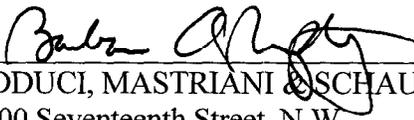
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing APPLICANT'S MOTION TO EXTEND THE TESTIMONY PERIOD was served as indicated below, January 10, 2003, on the party listed below:

Racetrac Petroleum, Inc.

Joan L. Dillon, Esq.
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Atlanta, Georgia 30309-4530

U.S. Mail Postage Prepaid
 Hand Delivered
 Federal Express
 Facsimile



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