

TTAB



11-05-2002
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #30

TRADEMARK
3982-4002

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

In the matter of Application Serial No. 75/456,742
for the mark MAG and Design
Published for Opposition in the
Official Gazette of July 18, 2000

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MAGASCHONI APPAREL GROUP, INC., :

Opposer, :

v. :

JOHANNES L. KAPPETEIN, :

Applicant. :

----- X

Opposition No. 120,332

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TRADEMARK TRIAL AND APPEAL BOARD

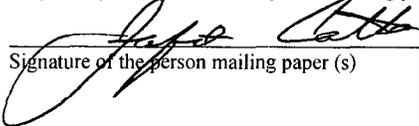
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Date of Deposit November 5, 2002

I hereby certify correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

JAMES POTTO

(Typed or printed name of the person mailing paper(s))



Signature of the person mailing paper (s)

MOTION ON CONSENT FOR EXTENSION OF TIME

Johannes L. Kappetein, by his attorneys, and with the consent of Opposer, hereby moves for an Order extending Applicant's time to answer, the discovery and testimony periods in this Opposition for an additional sixty (60) days since the parties still are in the process of discussing

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settlement and such additional time will enable further discussions and possible resolution of this matter. As extended, the periods are reset as follows:

<u>Dates</u>	<u>Stipulated Extension</u>
Answer to Notice Of Opposition	January 10, 2003
The period for discovery to close	June 18, 2003
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	September 16, 2003
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	November 15, 2003
Rebuttal testimony period to close (opening fifteen days prior thereto)	December 30, 2003

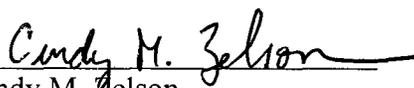
Agreement to the foregoing extensions of the time for answering, discovery and testimony was given by Holly Pekowsky, counsel for Opposer, by telephone with the undersigned on November 5, 2002. It is respectfully requested that this Motion be granted.

This Motion is being submitted in triplicate (original and two copies) pursuant to 37 CRF § 2.121(d).

Respectfully submitted,

JOHANNES L. KAPPETEIN

Dated: New York, New York
November 5, 2002

By: 
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION ON CONSENT FOR EXTENSION OF TIME was served upon Opposer by first-class mail in an envelope to the designated attorney for Opposer as set forth below:

Anthony F. Lo Cicero, Esq.
Holly Pekowsky, Esq.
Amster Rothstein & Ebenstein
90 Park Avenue
New York, New York 10016

on this 5th day of November, 2002.



Cindy M. Zelson