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

Proceeding	91154680
Party	Defendant RIEKE CORPORATION RIEKE CORPORATION 500 West Seventh Street Auburn, IN 46706
Correspondence Address	James A. Dimitrijevs MCDONALD HOPKINS CO., LPA 2100 BANK ONE CENTER 600 SUPERIOR AVENUE CLEVELAND, OH 44114-2653
Submission	Stipulated Motion to Take a Testimony and Discovery Deposition Outside of the Testimony Period
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Date	09/24/2004
Attachments	18794s~1.pdf (3 pages)

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

AMERICAN FLANGE & MANUFACTURING CO., INC.	:	
	:	
Opposer,	:	Opposition No. 91153479
	:	Serial No. 75/896, 942
v.	:	
	:	
RIEKE CORPORATION,	:	Opposition No. 91154680
	:	Serial No. 75/869, 343
	:	
Applicant.	:	

STIPULATED MOTION TO TAKE A TESTIMONY AND DISCOVERY
DEPOSITION OUTSIDE OF THE TESTIMONY PERIOD

Opposer, American Flange & Manufacturing Co., Inc., and Applicant, Rieke Corporation, by and through their respective counsel and pursuant to TBMP § 707.03(b), hereby move that Applicant be allowed to take the testimony deposition of Mark B. Traylor, and that Opposer be allowed to take a discovery deposition of Mr. Traylor, on September 29, 2004, one day after the close of Applicant's testimony period.

Mr. Traylor is intended to be an expert witness on behalf of the Applicant. Applicant first identified Mr. Traylor to Opposer on September 15, 2004. Applicant received Mr. Traylor's expert report on September 16, 2004 and served it on Opposer that date. Applicant originally noticed the testimony deposition of Mr. Traylor for September 24, 2004. Due to scheduling conflicts, counsel for Opposer asked that the deposition be taken on September 29, rather than September 24. The parties have agreed that, immediately following Applicant's direct examination of Mr. Traylor on September 29, counsel for Opposer will have the opportunity to combine cross-examination of Mr. Traylor with a discovery deposition of Mr. Traylor. Counsel for Applicant will then have an opportunity for re-direct examination of Mr. Traylor.

Respectfully submitted,



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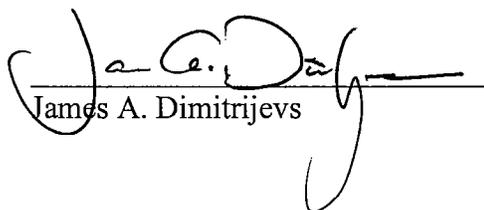
Attorneys for Opposer
AMERICAN FLANGE &
MANUFACTURING CO., INC.

Dated: September __, 2004

CERTIFICATE OF SERVICE

I, James A. Dimitrijevs, hereby certify that a true and correct copy of the foregoing Stipulated Motion to Take a Testimony Deposition Outside of the Testimony Period was served via facsimile and first-class mail, postage prepaid, this 24th day of September, 2004, on the following:

William H. Oldach III
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