

TTAB

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

BIG O TIRES, INC,)
)
Opposer,)
)
v.)
)
SUNRISE INCORPORATED,)
)
Applicant.)

Opposition No. 91157113



02-20-2004

U.S. Patent & TMO/TM Mail RcptDt. #78

CONSENTED MOTION FOR EXTENSION OF TIME

COMES NOW the Opposer, BIG O TIRES, INC., by and through counsel, and moves the Trademark Trial and Appeal Board ("Board") for an order resetting the dates established by the Consented Motion for Extension of Time of January 26, 2004.

The parties have agreed to extend the discovery and trial dates for a variety of reasons by (30) thirty days. Additionally, the parties have agreed to extend the deadline for Opposer to respond to Applicant's written discovery by thirty (30) days.

Applicant, through counsel, Mina I. Hamilton, consented to this Motion in a voicemail message left with undersigned counsel on February 18, 2004.

Pursuant to Trademark Rule 2.121(d), this stipulation sets forth the dates as requested to be reset:

DISCOVERY PERIOD TO CLOSE: August 6, 2004

Testimony period for party in position of plaintiff to close: November 4, 2004
(opening thirty days prior thereto)

Testimony period for party in position of defendant to close: January 3, 2005
(opening thirty days prior thereto)

Rebuttal testimony period to close
(opening fifteen days prior thereto)

February 17, 2005

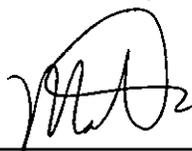
This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office.

This request is submitted in triplicate.

Respectfully submitted,

BIG O TIRES, INC.

By:



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Dated: February 20, 2004
Attorney Docket No. I-4799

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing Consented Motion for Extension of Time, in connection with Opposition No. 157,113 –BIG O TIRES, INC. vs. SUNRISE INCORPORATED, to be served by first-class mail, postage prepaid, upon counsel for Applicant:

David N. Makous, Esquire
Mina I. Hamilton, Esquire
LEWIS BRISBOIS BISGAARD & SMITH LLP
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Suite 1200
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this 20th day of February, 2004.

