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

Proceeding	91157589
Party	Plaintiff FED CHEX, LLC
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Submission	Motion to Extend
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Date	08/15/2006
Attachments	Motion to Reset Testimony Periods 8-15-06.pdf (3 pages)(73990 bytes)

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

In the Matter of Application Serial No. 76/388,624
Published in the *Official Gazette* on October 8, 2002

FEDCHEX, LLC,

Opposer,

v.

ROLANDO BANCIELLA,

Applicant.

Opposition No. 91157589

MOTION TO SUSPEND OPENING OF THE TESTIMONY PERIODS

Opposer, by and through its attorneys, hereby moves that the testimony periods, now set to open with Opposer's testimony period on August 16, 2006, be suspended until a later date. Currently, both Opposer and Applicant must respond to outstanding discovery requests by August 18, 2006, one month after these proceedings were resumed following suspension. As the due date for discovery falls after the opening of the first testimony period, neither party would be able to file a motion to compel discovery responses, if necessary. Furthermore, the parties are currently engaged in settlement negotiations that Opposer suspects will result in a resolution of these proceedings. Proceeding with the taking of testimony at this stage may result in an unnecessary expenditure of substantial resources by both parties.

Consequently, Opposer hereby moves for an Order resetting the testimony periods appropriately.

This Motion is being made in good faith and not for the purpose of delay.

Respectfully submitted,

GOODMAN LAW GROUP, PC

Dated: August 15, 2006

By: /Amanda J. McLaughlin/
Amanda J. McLaughlin
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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **MOTION TO SUSPEND OPENING OF THE TESTIMONY PERIODS** was served upon Applicant by depositing one copy thereof in the United States Mail, first class postage prepaid, on August 15, 2006, addressed as follows:

David Gast, Esq.
Malloy & Malloy, P.A.
2800 S.W. 3rd Avenue
Miami, FL 33129

By: /Amanda J. McLaughlin/
Amanda J. McLaughlin