

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

The Sunrider Corporation d.b.a.  
 Sunrider International

Opposer,

v.

San Miguel Corporation,

Applicant.

Opposition No. 91159866

App. Serial No.: 76/151,605

Mark: CALI 10

Published for Opposition:  
 November 12, 2002

Our Ref.: 61234-0008



06-29-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #66

**CONSENTED MOTION FOR EXTENSION OF  
 DISCOVERY PERIOD AND TRIAL DATES**

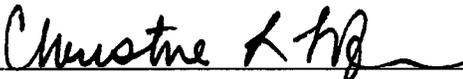
Pursuant to 37 CFR 2.121(d) and the agreement of counsel, the parties hereby move the Trademark Trial and Appeal Board for an Order continuing and rescheduling the discovery period and the testimony periods for three (3) months as follows:

	<u>OLD DATE</u>	<u>NEW DATE</u>
THE PERIOD FOR DISCOVERY TO CLOSE:	October 9, 2004	January 9, 2005
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	January 7, 2005	April 7, 2005
Testimony period for party in position of defendant to close (opening third days prior thereto)	March 8, 2005	June 8, 2005
Rebuttal testimony period to close (opening fifteen days prior thereto)	April 22, 2005	July 22, 2005

Applicant's counsel, Elliott C. Bankendorf, Welsh & Katz, Ltd., consented to this extension of time. This extension is not for purposes of delay, but rather to allow the parties to explore the possibility of settlement that if reached would terminate this proceeding and preserve the Board's valuable resources. This motion is being submitted in triplicate.

Respectfully submitted,  
Jeffer, Mangels, Butler & Marmaro LLP

Dated: June 24, 2004

By: 

Christine L. Lofgren  
Attorneys for Opposer  
JEFFER, MANGELS, BUTLER & MARMARO LLP  
1900 Avenue of the Stars, 7th Floor  
Los Angeles, California 90067  
(310) 203-8080

## CERTIFICATE OF SERVICE

The undersigned hereby declares under the penalty of perjury that the within **CONSENTED MOTION FOR EXTENSION OF DISCOVERY PERIOD AND TRIAL DATES** was forwarded in triplicate to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, via the United States Postal Service, first class mail, postage prepaid, on June 24, 2004.

  
\_\_\_\_\_  
ETLIN P. PERRIOTT

## CERTIFICATE OF MAILING

I hereby certify that on June 24, 2004, a copy of the foregoing **CONSENTED MOTION FOR EXTENSION OF DISCOVERY PERIOD AND TRIAL DATES** is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Elliott C. Bankendorf, Esq.  
Welsh & Katz, Ltd.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
ETLIN P. PERRIOTT