

ESTTA Tracking number: **ESTTA256838**

Filing date: **12/22/2008**

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

Proceeding	91160945
Party	Plaintiff Athletics Investment Group LLC, d/b/a The Oakland Athletics Baseball Company
Correspondence Address	Rosemary S. Tarlton Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482 UNITED STATES rtarlton@mofo.com
Submission	Stipulated/Consent Motion to Reopen
Filer's Name	Rosemary S. Tarlton
Filer's e-mail	rtarlton@mofo.com, lsimpson@mofo.com, DKera@oblon.com
Signature	/Rosemary S. Tarlton/
Date	12/22/2008
Attachments	MLBP - BAMA Opp.pdf (4 pages)(88262 bytes)

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

In re Application Serial No. 76/212,456
Filed: February 20, 2001
For Trademark: BAMA and Design
Published in the Official Gazette on December 16, 2003

-----X
ATHLETICS INVESTMENT GROUP LLC, D/B/A THE
OAKLAND ATHLETICS BASEBALL COMPANY

Opposition No. 91160945

Opposer,

v.

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF
ALABAMA,

Applicant.

-----X
Commissioner of Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

STIPULATED MOTION FOR EXTENSION OF PROCEEDING DEADLINES

Opposer, Athletics Investment Group LLC, d/b/a the Oakland Athletics Baseball Company, together with Applicant, The Board of Trustees of The University of Alabama, hereby requests a three (3) month extension of all deadlines in the above-captioned opposition action. Although the Board has advised the parties that no further requests for extension or suspension will be granted in view of the fact that this matter has been pending for over four years, the parties make this joint request for a three-month extension of all deadlines in this matter in light the following extraordinary circumstances. On September 2, 2008, the ten-year old daughter of

Opposition to Serial No. 76/212,456
Opposition No. 91160945
Docket No. 52933-24003.34

counsel for Opposer was unexpectedly diagnosed with a chronic disease. This diagnosis required counsel for Opposer to be out of the office for most of September and October attending to the needs of her daughter and accompanying her daughter while her daughter was in the hospital participating in a clinical trial of an experimental treatment for the disease. Counsel for Opposer returned to the office in November and has now returned to her efforts to conclude the settlement of this matter. After consultation with Opposer since her return to the office, counsel for Opposer is currently finalizing a draft of the written settlement agreement in this matter addressing the issues that arose in the settlement discussions held between counsel for Applicant and counsel for Opposer on August 14, 2008. The parties expect to negotiate the remaining open issues and to finalize the settlement before the close of the requested extension period. The parties respectfully request that the dates in this matter be reset as follows:

DISCOVERY PERIOD TO CLOSE:	March 31, 2009
30-day testimony period for party in the position of plaintiff to close	June 29, 2009
30-day testimony period for party in the position of defendant to close	August 28, 2009
15-day rebuttal period for party in the position of the plaintiff to close	October 12, 2009

Counsel for Applicant, David Kera, has joined in, and consented to, this request in written communication with the undersigned by electronic mail on December 22, 2008.

This request is being submitted as required by TBMP 509.02. A copy of this stipulated and consented motion is being served on counsel.

Dated: December 22, 2008

MORRISON & FOERSTER LLP

By: 
Rosemary S. Tarlton
Attorney for the Club

Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105
Telephone: (415) 268-6810

Opposition to Serial No. 76/212,456
Opposition No. 91160945
Docket No. 52933-24003.34

PROOF OF SERVICE BY MAIL

I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on December 22, 2008, I served a copy of:

STIPULATED MOTION FOR EXTENSION OF PROCEEDING DEADLINES

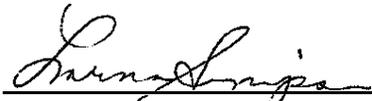
on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105, in accordance with Morrison & Foerster's ordinary business practices:

David J. Kera, Esq.
Oblon, Spivak, McClelland, Maier & Neustadt,
P.C.
1940 Duke Street
Alexandria, VA 22314-3454

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at San Francisco, California, this 22nd day of December, 2008.

Lorna Simpson
(typed)


(signature)

Serial No 76/212,456
Docket No. 52933-24003.34