

ESTTA Tracking number: **ESTTA35368**

Filing date: **06/10/2005**

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

<b>Proceeding</b>	91161217
<b>Party</b>	Plaintiff Larry Lee Kohse, Jr. ,
<b>Correspondence Address</b>	KEVIN G. SMITH SUGHRUE MION PLLC 2100 PENNSYLVANIA AVENUE N.W. WASHINGTON, DC 20037-3213
<b>Submission</b>	Re-Filing of Opposer's Motion for Extension of Testimony Periods (with PTO Stamped evidence showing receipt on April 13, 2005)
<b>Filer's Name</b>	Leigh Ann Lindquist
<b>Filer's e-mail</b>	llindquist@sughrue.com
<b>Signature</b>	/Leigh A. Lindquist/
<b>Date</b>	06/10/2005
<b>Attachments</b>	800857 refile of motion.pdf.PDF ( 4 pages )

**PLEASE DATE STAMP AND RETURN AFTER FILING TO BOX TMK**

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

LARRY LEE KOHSE, JR.,

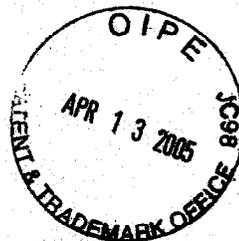
Opposer,

v.

STEVE VARNER,

Applicant.

Opposition No.: 91/161,217



- Paper(s) filed:
1. Opposer's Motion For Extension Of Testimony Periods
  2. Certificate of Service

**DOCKET NO.: 800857**  
**ATTORNEYS: LAL/kcl**

Leigh Ann Lindquist  
SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213

Date: April 13, 2005

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

LARRY LEE KOHSE, JR.,

Opposer,

v.

STEVE VARNER,

Applicant.

Opposition No.: 91/161,217

**OPPOSER'S MOTION FOR EXTENSION OF TESTIMONY PERIODS**

Opposer, by its attorneys, hereby requests that the testimony periods in the above-identified matter be extended to close sixty (60) days from the date of the Board's order granting this motion for extension of time.

This motion is made in good faith and is not made for purposes of delay. Specifically, Opposer's testimony period is currently set to close on April 25, 2005.

Opposer, which is an individual, has a busy work schedule during the current testimony period. In addition, two of Opposer's attorneys are traveling outside of the country during the currently scheduled testimony period. Unfortunately, Opposer and its attorneys have been unable to find dates that are mutually convenient to travel to, prepare for and take the testimony deposition of Opposer. Given that Opposer resides in California and Opposer's attorneys are in Washington, D.C., a couple of days must be available for the testimony deposition to permit travel.

For the above reasons, it is respectfully requested that the Board reset Plaintiff's testimony period to close sixty (60) days from the date of the Board's ruling on this motion and

the Board should proceed to reschedule other periods to allow for the orderly completion of the depositions.

In view of the foregoing, favorable action on this motion is requested in order to allow for the orderly taking and completion of the needed deposition.

Respectfully submitted,

LARRY LEE KOHSE, JR.

By:



Kevin G. Smith, Esq.

Gary D. Krugman, Esq.

Leigh Ann Lindquist, Esq.

Attorneys for Opposer

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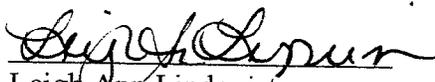
Date: April 13, 2005

Attorney Ref.: 800857  
Oppos. No. 91/161,217

**CERTIFICATE OF SERVICE**

I, Leigh Ann Lindquist, Esquire, hereby certify that on this 13<sup>th</sup> day of April, 2005, a true and correct copy of the foregoing **OPPOSER'S MOTION FOR EXTENSION OF TESTIMONY PERIODS** has been properly served, via First Class U.S. Mail, postage prepaid to:

Frederic M. Douglas  
Michael A. Shimokaji  
SHIMOKAJI & ASSOCIATES, P.C.  
1301 Dove Street, Suite 480  
Newport Beach, California 92660

  
Leigh Ann Lindquist