

ESTTA Tracking number: **ESTTA41639**

Filing date: **08/09/2005**

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

<b>Proceeding</b>	91161880
<b>Party</b>	Defendant Allied Mortgage & Financial Corporation Allied Mortgage & Financial Corporation 4651 Sheridan Street, Suite 100 Hollywood, FL 33021
<b>Correspondence Address</b>	JENNIFER P. RABIN AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188
<b>Submission</b>	Stipulated/Consent Motion to Extend
<b>Filer's Name</b>	Jennifer Parkins Rabin
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<b>Signature</b>	/Jennifer Parkins Rabin/
<b>Date</b>	08/09/2005
<b>Attachments</b>	Opposition No. 91161880, 5th Stipulated XOT.pdf ( 3 pages )

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

CHARLOTTE BEYER ASSOCIATES, INC.  
d/b/a INSTITUTIONAL PRIVATE INVESTORS,

Opposer,

v.

ALLIED MORTGAGE & FINANCIAL  
CORPORATION,

Applicant.

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Opposition No. 91161880  
Application No. 76/530,564  
Mark: YOUR INSTITUTIONAL  
PRIVATE INVESTOR  
Filed July 17, 2003

**Fifth Stipulated Request for Extension of Time to File Answer to Notice of Opposition  
and Extension of Discovery, Testimony and Briefing Dates**

Applicant, ALLIED MORTGAGE & FINANCIAL CORPORATION, by and through its undersigned attorneys, hereby requests that a thirty (30) day extension of time be granted, thus extending the deadline through and including Thursday, September 8, 2005 for the filing of its Answer to the Opposer's Notice of Opposition. Applicant also requests that the discovery and testimony dates in the above-captioned proceeding be extended for thirty (30) days as set forth below:

Discovery period to close:	November 7, 2005
Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto)	February 5, 2006
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	April 6, 2006
Rebuttal testimony period to close: (opening fifteen days prior thereto)	May 21, 2006

Opposer also seeks extension of the briefing deadlines consistent with the foregoing extension of discovery and testimony periods and Trademark Rule 2.128(a) and (b).

Counsel for Opposer, Beth H. Alter, joins in this request, having notified the undersigned of her agreement to the above-requested extensions by voicemail during communications which occurred in the week of August 1, 2005. The parties are presently finalizing a written settlement agreement and additional time is needed to coordinate comments and revisions. With intervening holidays and vacations, it will not be possible to resolve these issues prior to the current August 9<sup>th</sup> deadline for Applicant's Answer. This request is for good cause and is not filed for the purpose of mere delay. Favorable consideration is requested.

Respectfully submitted,

**AKERMAN SENTERFITT**

Date: August 9, 2005

*Jennifer Parkins Rabin*

Jennifer Parkins Rabin, FL Bar No. 0965642

Peter A. Chiabotti, Reg. No. 54,603

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Telephone: (561) 653-5000

Docket: 7543-2

Attorneys for Applicant

**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the **Fifth Stipulated Request for Extension of Time to File Answer to Notice of Opposition and Extension of Discovery, Testimony and Briefing Dates** was served upon Opposer via email to **Alter@sewkis.com** and by mailing in a postage prepaid envelope deposited in a box under the custody of the U.S. Postal Service this 9th day of August, 2005, addressed to: **Beth H. Alter, Esq., Seward & Kissel, LLP, One Battery Park Plaza, New York, NY 10004.**

*/Jennifer Parkins Rabin/*  
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JENNIFER PARKINS RABIN