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Filing date: **05/14/2009**

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

Proceeding	91162370
Party	Plaintiff De Boulle Diamond & Jewelry, Inc.
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Submission	Other Motions/Papers
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Date	05/14/2009
Attachments	Opposers_Motion_Extend.pdf ( 3 pages )(73649 bytes )

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

DE BOULLE DIAMOND & JEWELRY, INC.,

Opposer,

v.

DE BEERS LV LTD.,

Applicant.

Consolidated Opposition No.: 91162370

Opposition No.'s: 91162370  
91164615

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**OPPOSER'S MOTION TO EXTEND  
APPLICANT'S TESTIMONY PERIOD**

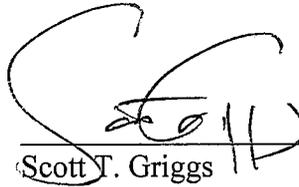
Opposer De Boule Diamond & Jewelry, Inc. ("Opposer" and/or "De Boule"), hereby files this Motion to Extend Applicant's Testimony Period (the "Motion"), and in support of same will respectfully show:

1. In accordance with the Board's Order entered in this proceeding on April 24, 2009, the Testimony Period for Applicant De Beers LV Ltd. ("Applicant" and/or "De Beers"), is set to begin on May 15, 2009.
2. Dennis T Griggs, lead counsel for Opposer, passed away on Tuesday, April 21, 2009.
3. Pursuant to TBMP §509.01(a) (2d ed. rev. 2004), Applicant respectfully requests that it be granted a short 30-day extension of time, until June 15, 2009, for the commencement of Applicant's Testimony Period, to allow Mr. Griggs' firm to review all his files and for Applicant to designate lead counsel to represent Opposer in his stead in this Proceeding.

4. This Motion is made not for delay only, but so that justice may be served.

5. The undersigned counsel conferred with Darren Saunders, Counsel for Applicant, in this proceeding on May 11, and May 12, 2009. Applicant opposes the extension sought by this Motion.

This the 17<sup>th</sup> day of May, 2009.



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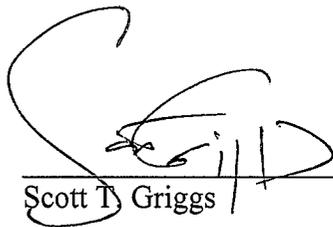
CERTIFICATE OF SERVICE

I hereby certify that on May 14<sup>th</sup>, 2009, a copy of the foregoing Opposer's Motion to Extend Applicant's Testimony Period was filed electronically through the Trademark Trial and Appeal Board Electronic Filing System. Notice of this filing will be sent electronically to all parties by operation of the TTAB's ESTTA system.

In addition a copy was served vial electronic mail and United States Mail, first class, postage prepaid, addressed as follows on May 14<sup>th</sup>, 2009:

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