

ESTTA Tracking number: **ESTTA21812**

Filing date: **12/21/2004**

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

Proceeding.	91163070
Applicant	Defendant CBR Incorporated CBR Incorporated 2040 St. Clair Avenue St. Paul, MN 55105
Other Party	Plaintiff Lucky Brand Dungarees, Inc. Lucky Brand Dungarees, Inc. 5233 Alcoa Avenue Vernon, CA 90058 UNITED STATES

Motion for an Extension of Time to Answer With Consent

CBR Incorporated's answer is currently due on 12/31/2004, and the close of discovery is currently set for 06/10/2005. CBR Incorporated requests that its time to answer be extended by 60 days from the current due date, or until 03/01/2005. The grounds for applicant's request are as follows:

- *Applicant needs additional time to investigate the claim*
- *Counsel for Opposer and counsel for Applicant have discussed the requested extension of time and both parties have given consent. The requested stipulated extension of time is requested because Applicant is now represented by new counsel who entered on December 21, 2004, and requires additional time to investigate the claim and prepare an appropriate answer. This request is not made for any improper purpose or delay.*

CBR Incorporated has secured the express consent of all other parties to this proceeding for the extension requested herein.

CBR Incorporated has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Doris E Yock/

Doris E. Yock, Leonard, Street and Deina

doris.yock@leonard.com

dbk@kirschsteinlaw.com

12/21/2004