

ESTTA Tracking number: **ESTTA60701**

Filing date: **01/06/2006**

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

| | |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Proceeding | 91165600 |
| Party | Defendant Qualitest USA LC Qualitest USA LC 3706 N. Ocean Blvd., #200 Fort Lauderdale, FL 33308 |
| Correspondence Address | MICHAEL B. CHESAL, ESQ. KLUGER, PERETZ, KAPLAN, & BERLIN, P.A. 1700 MIAMI CENTER 201 S. BISCAYNE BOULEVARD MIAMI, FL 33131 |
| Submission | Stipulated/Consent Motion to Extend |
| Filer's Name | Michael B. Chesal |
| Filer's e-mail | trademarks@kpkb.com |
| Signature | /Michael B. Chesal/ |
| Date | 01/06/2006 |
| Attachments | mockagreedmotion.pdf (3 pages) |

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

MOCK, INC.)
)
 Opposer,) Opposition No.: 91165600
)
 v.)
)
 QUALITEST USA LC)
)
 Applicant.)
 _____ /

AGREED MOTION TO EXTEND TIME

Applicant, MOCK, INC., pursuant to 37 C.F.R. §2.120 and TBMP §§ 509.01 and 509.02, and with the consent of Opposer, QUALITEST USA LC, hereby moves to extend the discovery period and all subsequent testimony periods in this action for an additional 60 days as set forth below:

| | |
|----------------------------------------------------------------------|--------------------|
| THE PERIOD FOR DISCOVERY TO CLOSE: | March 8, 2006 |
| 30 day testimony period for party in position of plaintiff to close: | June 6, 2006 |
| 30 day testimony period for party in position of defendant to close: | August 5, 2006 |
| 15 day rebuttal testimony period to close: | September 19, 2006 |

Applicant has filed an unopposed motion to suspend this proceeding, due to a simultaneous federal court litigation involving the same issues. This motion has yet to be ruled upon.

The parties are currently negotiating a possible settlement of the federal court litigation and this matter.

The extension is requested to give the parties time to complete these negotiations.

Applicant respectfully submits that this constitutes good cause for the requested extension.

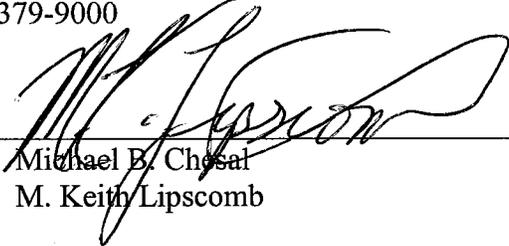
Opposer's counsel consents to the entry of an Order granting this motion.

Respectfully submitted,

KLUGER, PERETZ, KAPLAN & BERLIN, P.L.

Attorneys for Applicant
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(305) 379-9000

Dated: 1/6, 2006

By: 
Michael B. Chosal
M. Keith Lipscomb

Certificate of Service

WE HEREBY CERTIFY that a copy of the foregoing was mailed to Andrew D. Dorisio,
King and Schickli, PLLC, 247 North Broadway, Lexington KY 40507 on January 6, 2006.

By:  _____