

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

In the Matter of Application Serial No. 78/359,895  
 Filed: January 30, 2004  
 For the Mark: MEMORY MAGIC in International Class 28  
 Published in the Official Gazette: May 10, 2005 at TM 330

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HASBRO, INC.

Opposer,

v.

CREATIVE ACTION LLC,

Applicant.

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Opposition No. 91/166,487

**MOTION ON CONSENT TO AMEND  
DISCOVERY AND TESTIMONY PERIODS**

TO THE COMMISSIONER FOR TRADEMARKS:

Opposer Hasbro, Inc., by its attorneys, respectfully moves this Honorable Board on consent to amend the discovery and testimony periods in the above-captioned opposition as follows:

The period for discovery to close:	June 14, 2006
30-day testimony period for Hasbro as plaintiff in the opposition to close:	September 13, 2006
30-day testimony period for Creative Action as defendant in the opposition and as plaintiff in the counterclaim to close:	November 11, 2006



03-29-2006

30-day testimony period for Hasbro as defendant in the counterclaim and its rebuttal testimony as plaintiff in the opposition to close:

January 10, 2007

15-day rebuttal testimony period for Creative Action as plaintiff in the counterclaim to close:

February 25, 2007

**Briefs shall be due as follows:**

Brief for plaintiff in the opposition shall be due:

April 23, 2007

Brief for defendant in the opposition and as plaintiff in the counterclaim shall be due:

May 25, 2007

Brief for defendant in the counterclaim and its reply brief, if any, as plaintiff in the opposition shall be due:

June 24, 2007

Reply brief, if any, for plaintiff in the counterclaim shall be due:

July 9, 2007

On March 29, 2006, Wayne D. Porter, Jr., Esq., attorney for Applicant, consented to the above amendment of the discovery and testimony periods.

An original and two copies of this motion are being submitted pursuant to Rule 2.121(d).

Dated: March 29, 2006

Respectfully submitted,

PATTERSON BELKNAP WEBB & TYLER LLP

By 

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Attorneys for Opposer Hasbro, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing MOTION ON CONSENT TO AMEND DISCOVERY AND TESTIMONY PERIODS was served by Federal Express this 29<sup>th</sup> day of March, 2006 on counsel for the Applicant:

Wayne D. Porter Jr., Esq.  
Rankin Hill Porter & Clark LLP  
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Michael D. Sant'Ambrogio

**Certificate of Express Mail Under 37 CFR § 1.10**

Express Mail mailing label number: EV56084927405

Date of Deposit: March 29, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, Trademark Assistance Center, 600 Dulany Street, Alexandria, VA 22313



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Carole Diker