

ESTTA Tracking number: **ESTTA245417**

Filing date: **10/28/2008**

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

Proceeding	91176707
Party	Defendant INNERCAP Technologies, Inc.
Correspondence Address	Diane G. Elder Foley & Lardner LLP 321 North Clark, Suite 2800 Chicago, IL 60610 UNITED STATES delder@foley.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Cynthia B. Stevens
Filer's e-mail	cstevens@foley.com,delder@foley.com,PTOMailChicago@foley.com,jolsen@foley.com,chillson@cblh.com
Signature	/Cynthia B. Stevens/
Date	10/28/2008
Attachments	Second Motion to Extend 102808.pdf ( 3 pages )(22797 bytes )



15-day rebuttal testimony  
period for party in plaintiff  
to close:

August 5, 2008

Applicant has served discovery requests on opposer. This extension of time, therefore, is not requested for the purposes of delay, but rather to enable the parties to discuss settlement, and if settlement cannot be reached, to complete discovery.

INNERCAP Technologies, Inc. has secured the express consent of allother parties to this proceeding for the extension and resetting of dates requested herin.

On October 28, 2008, counsel for Applicant, Cynthia B. Stevens, spoke by telephone with counsel for opposer, Christina Hillson, and the parties agreed to this request for extension.

INNERCAP Technologies, Inc. has provided an e-mail address wherewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

For the foregoing reasons, applicant requests that this motion be granted.

Respectfully submitted,  
FOLEY & LARDNER LLP

DATED: October 28, 2008

By:



Craig S. Fochler  
Cynthia B. Stevens  
321 North Clark, Suite 2800  
Chicago, Illinois 60610  
TEL: 312.832.4500  
FAX: 312.832.4700  
Attorneys for Applicant, INNERCAP  
Technologies, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **MOTION WITH CONSENT FOR EXTENSION OF TIME** was served on counsel for Opposer this 28<sup>th</sup> day of October, 2008 by first class mail, postage prepaid, at the following address:

Christina M. Hillson  
CONNOLLY BOVE LODGE & HUTZ LLP  
The Nemours Building  
1007 North Orange Street  
Wilmington, DE 19899



---

Cynthia B. Stevens