

**TTAB**

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

In the matter of Application Serial No. 78/751,105  
Published for Opposition in the OFFICIAL GAZETTE on December 12, 2006

---

UMG RECORDINGS, INC.

Opposition No.: 91176791

Opposer

v.

MATTEL, INC.,

Applicant

---

**STIPULATED MOTION TO EXTEND TESTIMONY AND TRIAL DATES**



**05-23-2008**

U.S. Patent & Trademark Office Rept. Di. #72

Pursuant to TBMP § 501, Applicant Mattel, Inc. (“Applicant” or “Mattel”), by its counsel, and Opposer, UMG Recordings, Inc. (“Opposer” or “UMG”), by its counsel, hereby amend their joint motion and stipulation to an extension of 60 days of the schedule set in this action. The parties are currently engaged in settlement negotiations and therefore desire to extend the schedule set in this action as set forth below.

<u>PERIOD</u>	<u>DATE</u>
Period for discovery to close:	Closed (except with regard to discovery depositions)
30-day testimony period for party in position of plaintiff in the opposition to close:	August 29, 2008
30-day testimony period for party in position of defendant in the opposition and plaintiff in the counterclaim to close:	October 28, 2008
30-day rebuttal testimony period for plaintiff in the opposition and defendant in the counterclaim to close:	December 27, 2008
15-day rebuttal testimony period for plaintiff in the counterclaim to close:	February 10, 2009

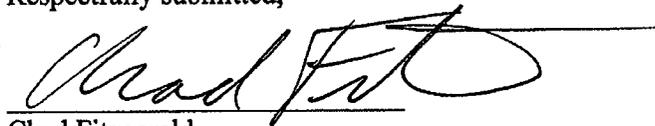
Briefs shall be due as follows:

Brief for plaintiff in the opposition shall be due:	April 11, 2009
Brief for defendant in the opposition and plaintiff in the counterclaim shall be due:	May 11, 2009
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff in the opposition shall be due:	June 12, 2009
Reply brief, if any, for plaintiff in the counterclaim shall be due:	June 26, 2009

This Stipulated Motion to Extend Testimony and Trial Dates is being submitted in triplicate.

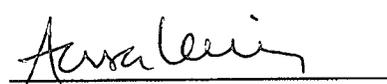
Respectfully submitted,

Date: May 21, 2008



Chad Fitzgerald  
KINSELLA, WEITZMAN, ISER, KUMP &  
ALDISERT, LLP  
808 Wilshire Boulevard, 3rd Floor  
Santa Monica, CA 90401  
(310) 566-9800  
Attorneys for Applicant  
Mattel, Inc.

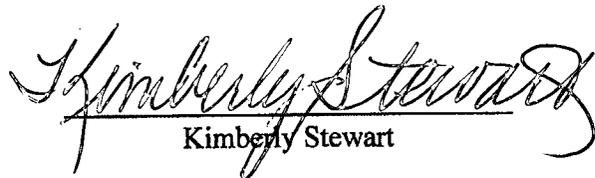
Date: May 21, 2008



Alexa L. Lewis  
MITCHELL SILBERBERG & KNUPP LLP  
11377 West Olympic Boulevard  
Los Angeles, California 90064  
(310) 312-2000  
Attorneys for Opposer  
UMG Recordings, Inc.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, addressed to: Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on this 21<sup>st</sup> day of May, 2008.



Kimberly Stewart

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Mitchell Silberberg & Knupp LLP, 11377 West Olympic Boulevard, Los Angeles, California 90064-1683.

On May 21, 2008, I served a copy of the foregoing document(s) described as **STIPULATED MOTION TO EXTEND TESTIMONY AND TRIAL DATES** on the interested parties in this action at their last known address as set forth below by taking the action described below:

Lawrence Y. Iser ([liser@kwikalaw.com](mailto:liser@kwikalaw.com))

Direct (310) 566-9801

Direct Fax (310) 566-9861

Counsel for Applicant,  
MATTEL, INC.

Patricia A. Millett ([pmillett@kwikalaw.com](mailto:pmillett@kwikalaw.com))

Direct (310) 566-9821

Direct Fax (310) 566-9870

Chad R. Fitzgerald ([CFitzgerald@kwikalaw.com](mailto:CFitzgerald@kwikalaw.com))

Direct 310.566.9802

Direct Fax 310.566.9882

Kinsella, Weitzman, Iser, Kump & Aldisert LLP

808 Wilshire Boulevard, 3rd Floor

Santa Monica, CA 90401

(310) 566-9800

Fax: (310) 566-9850

**BY MAIL:** I placed the above-mentioned document(s) in sealed envelope(s) addressed as set forth above, and deposited each envelope in the mail at Los Angeles, California. Each envelope was mailed with postage thereon fully prepaid.

**BY OVERNIGHT MAIL:** I placed the above-mentioned document(s) in sealed envelope(s) designated by the carrier, with delivery fees provided for, and addressed as set forth above, and deposited the above-described document(s) with \_\_\_\_\_ in the ordinary course of business, by depositing the document(s) in a facility regularly maintained by the carrier or delivering the document(s) to an authorized driver for the carrier.

**BY PERSONAL DELIVERY:** I placed the above-mentioned document(s) in sealed envelope(s), and caused personal delivery by \_\_\_\_\_ of the document(s) listed above to the person(s) at the address(es) set forth above.

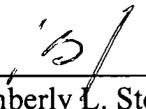
**BY PLACING FOR COLLECTION AND MAILING:** I placed the above-mentioned document(s) in sealed envelope(s) addressed as set forth above, and placed the envelope(s) for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage

- BY ELECTRONIC MAIL:** I served the above-mentioned document electronically at \_\_\_:\_\_\_m. on the parties listed at the email addresses above and, to the best of my knowledge, the transmission was complete and without error in that I did not receive an electronic notification to the contrary.
- BY FAX:** On \_\_\_\_\_, at \_\_\_\_\_ am/pm, from facsimile number (310) \_\_\_\_\_, before placing the above-described document(s) in sealed envelope(s) addressed as set forth above, I sent a copy of the above-described document(s) to each of the individuals set forth above at the facsimile numbers listed above. The transmission was reported as complete and without error. The transmission report was properly issued by the transmitting facsimile machine, and a copy of that report is attached hereto.

I declare that I am employed in the office of a member of the State Bar of California and various federal bars, at whose direction such service was made.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 21, 2008, at Los Angeles, California.

  
\_\_\_\_\_  
Kimberly L. Stewart