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

Proceeding	91177807
Party	Plaintiff 7-Eleven, Inc.
Correspondence Address	CHARLES R MANDLY JR FOLEY & LARDNER LLP 321 NORTH CLARK STREET, SUITE 2800 CHICAGO, IL 60610-4764 UNITED STATES PTOMailChicago@foley.com,dcopland@foley.com,cmandly@foley.com,jolsen@foley.com
Submission	Opposition/Response to Motion
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Signature	/David A. Copland/
Date	01/26/2011
Attachments	Opposer's Response to applicant's consented motion to suspend proceeding 1 26 11.pdf (3 pages)(28227 bytes) exhitit 1 1 26 11.pdf (3 pages)(317853 bytes) exhibit 2 1 26 11.pdf (1 page)(231916 bytes)

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

7-ELEVEN, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91177807
)	
SUSAN B. BUCENELL,)	
)	
Applicant.)	

**OPPOSER’S RESPONSE TO APPLICANT’S “CONSENTED MOTION TO
SUSPEND PROCEEDING”**

Opposer, 7-Eleven, Inc. (“7-Eleven”), files this response to the “Consented Motion to Suspend Proceeding” of January 25, 2011 (hereinafter “Consent Motion”; attached as Exhibit 1) filed by applicant, Susan B. Bucenell. 7-Eleven files this response to clarify the scope of its consent.

On January 19, 2011, 7-Eleven’s counsel received an email from Ms. Bucenell requesting consent to “a motion for a 30 day extension” of her testimony period. (*See* Exhibit 2 hereto, an email reply to Ms. Bucenell which contains her original inquiry.) On January 21, 2011, 7-Eleven’s counsel replied to Ms. Bucenell that “7-Eleven will consent to your motion to extend your testimony period by 30 days and re-set other trial dates accordingly.” Consequently, 7-Eleven notes that the extent of its consent is for Ms. Bucenell to extend the close of her testimony period by 30 days from February 3, 2011 to March 5, 2011, and to re-set other trial dates in accordance with the 30 day extension, namely extend the opposer’s rebuttal testimony period from March 20, 2011 to April 19, 2011.

To the extent that Ms. Bucenell seeks any relief other than to extend her testimony period until and including March 5 (with the necessary corresponding changes to the remaining trial dates), 7-Eleven has not consented to such additional relief.

Respectfully submitted,

FOLEY & LARDNER LLP



Craig S. Fochler
Charles R. Mandly, Jr.
David A. Copland
321 North Clark Street, 29th Floor
Chicago, Illinois 60654

Attorneys for Opposer,
7-Eleven, Inc.

Date: January 26, 2011

CERTIFICATE OF SERVICE

I, David A. Copland, counsel for Opposer, hereby certifies that a copy of OPPOSER'S RESPONSE TO APPLICANT'S "CONSENTED MOTION TO SUSPEND PROCEEDING" was served on this 26th day of January, 2011 via first class mail, postage prepaid, upon Applicant at:

Ms. Susan B. Bucenell
30623 Bittsbury Ct.
Wesley Chapel, FL 33543-3921



David A. Copland

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

7-ELEVEN, INC.

Opposer,

v.

SUSAN B. BUCENELL,

Applicant

Opposition No. 91177807

Serial No. 78/916,143

CONSENTED MOTION TO SUSPEND PROCEEDING

Applicant, Susan B. Bucenell (Healthy Gulp), with consent of counsel for the Opposer, 7-Eleven, Inc. ("7-Eleven"), hereby moves this Honorable Board to suspend the proceeding for thirty (30) days in order to allow the Applicant additional time to prepare her Notice of Reliance and to prepare for testimony by deposition. Discovery has closed and the Applicant's Trial Period is currently set to close on February 3, 2011. The Applicant seeks to suspend the proceeding for 30 days, with Applicant's Trial Period to close 9 days following the end of such suspension.

The Applicant and the Opposer engaged in settlement discussions which were not successful. The Opposer's Trial Period closed on December 6, 2011.

On January 19, 2011, the Applicant emailed David Copland, Attorney for the Opposer, requesting that they consent to a 30 day suspension of the proceeding. On January 21, 2011, Mr. Copland advised via email that 7-Eleven would consent to the Applicant's motion to extend the Applicant's testimony period by 30 days and to re-set other trial dates accordingly.

This extension is necessary to enable the Applicant to prepare a Notice of Reliance and prepare for the taking of testimony. The Applicant has had difficulty in hiring an attorney to represent her for the remainder of the proceedings before the Board. The Applicant has spoken with three attorneys in an effort to obtain such representation. The attorneys thus far have been cost prohibitive and/or are

unable to represent the Applicant due to her Pro Se status for several years before the Board.

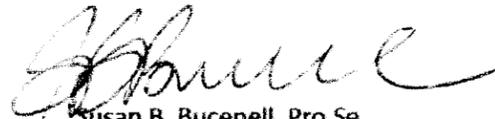
Furthermore, in an attempt to schedule a deposition through a legal service, the Applicant was advised that Pro Se depositions are not typical and the Pro Se client must go through a "screening process" in order to hire such a service.

The Applicant needs additional time to continue to seek representation, and/or a legal service to assist the Applicant. If not successful in this endeavor, the Applicant needs additional time to prepare documents and take testimony herself.

The Applicant certifies to this Honorable Board that the requested relief is not sought merely for delay or for any other improper purpose.

For the aforesaid reasons, the Applicant, Susan B. Bucenell (Healthy Gulp) moves that this Honorable Board suspend the proceeding for thirty (30) days and reset the trial dates accordingly to permit the Applicant to additional time to hire an attorney, to prepare necessary documents, and take testimony.

Respectfully submitted,



Susan B. Bucenell, Pro Se
Healthy Gulp
30623 Bittsbery Court
Wesley Chapel, Florida, 33543
Telephone No. (813)333-4284

CERTIFICATE OF SERVICE

I, Susan B. Buceneil, Pro Se for the Applicant, hereby certifies that a copy of the CONSENTED MOTION TO SUSPEND PROCEEDING was served on this 25th day of January, 2011, via first class mail, postage prepaid, upon Opposer at:

David A. Copland
Foley & Lardner LLP
321 North Clark Street, Suite 2800
Chicago, Illinois 60654



Susan B. Buceneil

Copland, David A.

From: Copland, David A.
Sent: Friday, January 21, 2011 3:36 AM
To: 'Jim and Sue Bucenell'
Subject: 7-Eleven, Inc. v. Bucenell, Opp. No. 91177807 (TTAB)

Dear Sue,

7-Eleven will consent to your motion to extend your testimony period by 30 days and re-set other trial dates accordingly.

-- David

David A. Copland, Esq.
Foley & Lardner LLP
321 North Clark Street
Chicago, Illinois 60654
USA

Voice: +1-312-832-4598
Fax: +1-312-832-4700
dcopland@foley.com

From: Jim and Sue Bucenell [mailto:sbucenell@tampabay.rr.com]
Sent: Wednesday, January 19, 2011 3:57 PM
To: Copland, David A.
Cc: Mandly Jr., Charles R.
Subject: Healthy Gulp

Gentlemen-

I would like to file a motion for a 30 day extension to my testimony period. I would prefer if this was filed with the consent of your client, 7-Eleven. Please advise if you would consent to a 30 day extension to my testimony period on behalf of your client.

Thanks-
Sue Bucenell, Healthy Gulp