

04-16-2008

U.S. Patent & TMO/TM Mail Rpt Dt. #34

**Attorney Docket No. 005301-061800US
TRADEMARK**

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

In re: Application Ser. Nos. 77/005,920; 77/005,921; and 77/005,923
Published: October 2, 2007; September 25, 2007; and September 25, 2007, respectively
Applicant: Etchegaray Farms, LLC
Marks: **SUNMET, SUNMET & Design**, and **SUNMET & Design**, respectively

SUN-MAID GROWERS OF CALIFORNIA,

Opposer

v.

ETCHEGARAY FARMS, LLC,

Applicant.

Opposition No. 91182171

**CONSENTED MOTION TO
EXTEND DISCOVERY AND TRIAL
DATES**

Commissioner for Trademarks
P. O. Box 1451
Alexandria, Virginia 22313-1451



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Opposer Sun-Maid Growers of California, with the express consent of Applicant Etchegaray Farms, LLC, moves to extend all trial dates for sixty (60) days so that the parties may explore settlement. Applicant's counsel, Scott Dutcher, consented to this extension by telephone on April 10, 2008.

Opposer respectfully notes that it moved on March 28, 2008 to consolidate this proceeding with opposition Nos. 91180558, 91180559, and 91180638. Applicant does not intend to oppose Opposer's Motion to Consolidate. Should the previously filed Motion to

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Consolidate be granted, together with this consented motion to extend the discovery and trial dates, the schedule would be as follows:

Deadline for Discovery Conference	6/8/08
Discovery Opens	6/8/08
Initial Disclosures Due	7/8/08
Expert Disclosures Due	11/5/08
Discovery Closes	12/5/08
Plaintiff's Pretrial Disclosures	1/19/09
Plaintiff's 30-day Trial Period Ends	3/5/09
Defendant's Pretrial Disclosures	3/20/09
Defendant's 30-day Trial Period Ends	5/4/09
Plaintiff's Rebuttal Disclosures	5/19/09
Plaintiff's 15-day Rebuttal Period Ends	6/18/09

This request is not made to unduly delay proceedings, but is made so that the parties may assess whether there is a potential for settlement of the matter.

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP

By: 

Marc M. Gorelnik
Attorneys for Opposer

Dated: April 14, 2008

PROOF OF SERVICE

I hereby certify that on April 14, 2008, I served a copy of the following document entitled **CONSENTED MOTION TO EXTEND DISCOVERY AND TRIAL DATES** by depositing a true and correct copy of the same with the United States Postal Service, first class mail, postage prepaid, in an envelope addressed to:

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