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

Proceeding	91182259
Party	Plaintiff Foodhandler, Inc.
Correspondence Address	Alexa L. Lewis Mitchell, Silberberg & Knupp LLP 11377 W. Olympic Boulevard Los Angeles, CA 90064 UNITED STATES all@msk.com, kls@msk.com
Submission	Stipulated/Consent Motion to Extend
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Date	12/16/2008
Attachments	CONSENT MOTION TO EXTENT TESTIMONY AND TRIAL DATES (2062470).PDF ( 5 pages )(573097 bytes )

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

In the Matter of Application Serial No. 77/207,747  
Published for Opposition in the OFFICIAL GAZETTE on January 22, 2008

FOODHANDLER, INC.,

Opposer,

v.

DANIELLE DUTREIX-MOOMAU,

Applicant.

Opposition No. 91182259

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

Pursuant to TBMP § 501 *et. al*, Opposer Foodhandler, Inc. ("Foodhandler") hereby moves for an extension of 14 days of the schedule set in this action, so that the parties are not engaging in pretrial disclosures and beginning their first testimony period during the holidays. Foodhandler has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Therefore, the parties desire to extend the schedule set in this action as set forth below.

<u>PERIOD</u>	<u>DATE</u>
Plaintiff's Pretrial Disclosures:	January 9, 2009
Plaintiff's 30-day trial period ends:	February 23, 2009
Defendant's Pretrial Disclosures:	March 10, 2009
Defendant's 30-day trial period ends	April 24, 2009
Plaintiff's Rebuttal Disclosures:	May 9, 2009
Plaintiff's 15-day rebuttal period ends:	June 8, 2009

Respectfully submitted,

Date: December 16, 2008

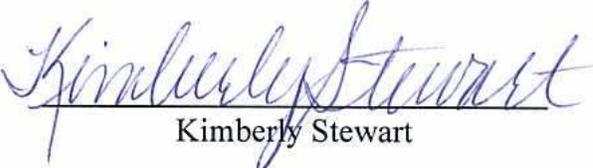


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Attorneys for Opposer  
Foodhandler, Inc.

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being transmitted electronically through ESTTA pursuant to 37 C.F.R. §2.195(a) on December 16, 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 December 16, 2008, I served a copy of the foregoing document(s) described as **CONSENT 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:

Erik M. Pelton, Esq.  
Erik M. Pelton & Associates, PLLC  
P.O. Box 100637  
Arlington, VA 22210  
Tel.: 703-525-8009  
Fax: 703-997-5349

Counsel for Applicant,  
DANIELLE DUTREIX-MOOMAU

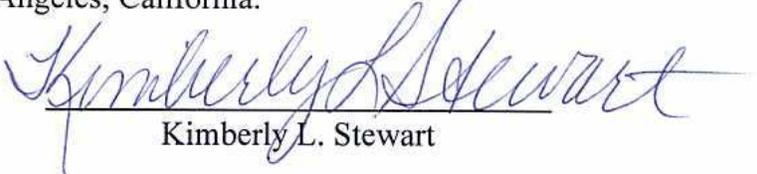
- BY MAIL:** I placed the above-mentioned document(s) in sealed envelope(s) addressed as set forth above, and deposited each envelope in the mail at Los Angeles, California. Each envelope was mailed with postage thereon fully prepaid.
- BY OVERNIGHT MAIL:** I placed the above-mentioned document(s) in 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 thereon fully prepaid at 11377 West Olympic Boulevard, Los Angeles, California 90064-1683 in the ordinary course of business.
- 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 December 16, 2008, at Los Angeles, California.

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