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Filing date: **03/09/2009**

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

Proceeding	91188339
Party	Plaintiff RussellG.Weiner
Correspondence Address	Seth I. Appel HARVEY SISKIND LLP Four Embarcadero Center 39th Floor San Francisco, CA 94111 UNITED STATES sappel@harveysiskind.com, iboyd@harveysiskind.com, dfreitag@harveysiskind.com, clee@harveysiskind.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Seth I. Appel
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Signature	/Seth I. Appel/
Date	03/09/2009
Attachments	Stip.090309.pdf (4 pages)(16206 bytes)

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

3 Serial No. 77501585
4 Mark: DIVE BAR ROCK STAR

5 _____)
6 RUSSELL G. WEINER, an individual,) Opposition No. 91188339
7)
8 Opposer,)
9)
10 v.)
11)
12 EDWARD HOFRICHTER, an individual,)
13 and JOHN PISANO, an individual,)
14)
15 Applicants.)
16 _____)

17 **STIPULATION EXTENDING TIME**
18 **FOR OPPOSER’S RESPONSE TO MOTION FOR JUDGMENT ON THE PLEADINGS**

19 Pursuant to 37 CFR § 2.127, Opposer Russell G. Weiner (“Opposer”) and Applicants Edward
20 Hofrichter and John Pisano (“Applicants”), through their counsel, hereby stipulate to a one-week
21 extension of time for Opposer to file a response to Applicants’ motion for judgment on the
22 pleadings. Opposer’s response will be due on March 17, 2009.

23 Dated: March 9, 2009

24 Respectfully submitted,

25 HARVEY SISKIND LLP

26 _____ /s/

27 By: Seth I. Appel

28 Four Embarcadero Center, 39th Floor
San Francisco, CA 94111
Telephone: (415) 354-0100
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Attorneys for Opposer
Russell G. Weiner

1 YOUNG & THOMPSON

2 _____
/s/

3 By: Mark Lebow

4 209 Madison Street, Suite 500

5 Alexandria, VA 22314

6 Telephone: (703) 521-2297

7 Facsimile: (703) 685-0573

8 Attorneys for Applicants

Edward Hofrichter and John Pisano

9 **IT IS SO ORDERED** this ____ day of March, 2009.

10
11
12
13 _____
Cheryl S. Goodman

14 TTAB Interlocutory Attorney

1 **CERTIFICATION OF TRANSMISSION**

2
3 I hereby certify that a true and correct copy of the attached STIPULATION
4 EXTENDING TIME FOR OPPOSER'S RESPONSE TO MOTION FOR JUDGMENT ON THE
5 PLEADINGS, dated March 9, 2009 (Opposition No. 91188339), is being electronically
6 transmitted to the Trademark Trial and Appeal Board on March 9, 2009.

7 _____ /s/

8 Seth I. Appel

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached STIPULATION EXTENDING TIME FOR OPPOSER'S RESPONSE TO MOTION FOR JUDGMENT ON THE PLEADINGS, dated March 9, 2009 (Opposition No. 91188339), was served on Applicants by depositing a copy thereof with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to Mark Lebow, Young & Thompson, 209 Madison Street, Suite 500, Alexandria, VA 22314, on March 9, 2009.

/s/
Seth I. Appel