

ESTTA Tracking number: **ESTTA319229**

Filing date: **11/30/2009**

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

Proceeding	91189474
Party	Defendant Bernadette Cooper and Joyce Irby
Correspondence Address	JAMIE SHELDEN LAW OFFICE OF JAMIE SHELDEN 1760 Suite F, PMB 220Airline Highway HOLLISTER, CA 95023-4094 UNITED STATES jamie@justtrademarks.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Jamie Shelden
Filer's e-mail	jamie@justtrademarks.com
Signature	/Jamie Shelden/
Date	11/30/2009
Attachments	KLYMAXX Motion to Extend.pdf ( 2 pages )(61981 bytes )

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

Cheryl Cooley	)	
	)	Opposition no.: 91189474
Opposer,	)	
	)	Mark: KLYMAXX
v.	)	
	)	
	)	
Bernadette Cooper and	)	
Joyce Irby	)	
Applicants.	)	

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**CONSENTED MOTION FOR EXTENSION OF DISCOVERY  
OR TRIAL PERIODS**

The Close of Discovery is currently set to close on 12/05/2009. Applicant's requests that such date be extended for 60 days, or until 02/03/2010, and that all subsequent dates be reset accordingly.

Expert Disclosure Due:	01/05/2010
Discovery Closes:	02/03/2010
Plaintiff's Pretrial Disclosures:	03/19/2010
Plaintiff's 30-day Trial Period Ends:	05/05/2010
Defendant's Pretrial Disclosures:	05/20/2010
Defendant's 30-day Trial Period Ends:	07/04/2010
Plaintiff's Rebuttal Disclosures:	07/19/2010
Plaintiff's 15-day Rebuttal Period Ends:	08/18/2010

The grounds for this request are as follows:

- Parties are not able to complete discovery in the allotted time period

Applicants have secured the consent of all other parties to this proceeding for the extension requested herein.

Applicants provide herewith an e-mail address for their counsel and for the opposing

party so that any order on this motion may be issued electronically by the Board.

Jamie@justtrademarks.com - email for Applicants' counsel

jscherer@jfsny.com - email for Opposer's counsel

Respectfully Submitted,

Jamie Shelden

By: Jamie R. Shelden  
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Jamie@justtrademarks.com  
Attorney for Applicant

Dated: November 30, 2009

#### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing:

CONSENTED MOTION FOR EXTENSION OF DISCOVERY OR TRAIL PERIODS

is being served upon Opposer by depositing a copy of the same in the United States mail, first class postage prepaid, addressed as follows:

Jack F. Sherer  
99 Park Avenue, 3<sup>rd</sup> Floor  
New York, NY 10016  
this 30th day of November, 2009.

Jamie Shelden

Jamie R. Shelden