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Filing date: **10/26/2009**

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

Proceeding	91189629
Party	Plaintiff Borghese Trademarks Inc.
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Signature	/Moira J. Selinka/
Date	10/26/2009
Attachments	Opposer's Motion for an Extension of Time to Respond to Applicant's Summary Judgment Motion.pdf (3 pages)(104145 bytes)

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

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Borghese Trademarks, Inc.

Opposer,

v.

Multi Media Exposure, Inc.

Applicant.
-----X

Opposition No.: 91189629

Mark: PRINCE LORENZO
BORGHESE'S LA DOLCE VITA

Application No.: 77/435,171

**OPPOSER'S MOTION FOR AN EXTENSION OF TIME
TO RESPOND TO APPLICANT'S SUMMARY JUDGMENT MOTION**

Opposer, Borghese Trademarks, Inc. ("Opposer") respectfully moves the Board for a thirty (30) day extension of time to respond to Applicant's Motion for Summary Judgment. Opposer attempted to secure the consent of Applicant before making this motion but was told by Applicant's attorney that they would not consent. Opposer believes that a response to the Motion for Summary Judgment is currently due by October 28, 2009, however, no certificate of service was ever filed or included with the copy of the Motion sent to Opposer by Applicant's attorney.

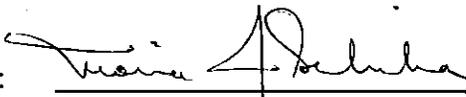
According to Fed. R. Civ. P. 6(b), the court may for good cause extend the time to act with or without a motion if the request is made before the original time expires. See also, TBMP §509.01. The present motion is being made before the original time expires and there is good cause for the extension of time. In discussing the matter further with their attorneys, Opposer just requested that their attorneys file a cross motion for summary judgment. In addition, there are other matters going on involving the BORGHESE marks, and Applicant apparently received

a copy of a letter from Opposer's general counsel involving collateral issues not specifically related to this litigation, and Applicant's attorney explained that because of that letter Applicant is angry and will not consent to an extension of time. Further, Applicant's attorney indicated they are worried that if a decision is handed down by the Board regarding the outstanding Motion to Strike during the extension period, it may render their Summary Judgment Motion moot. In that regard, Opposer believes Applicant is simply trying to run the clock which is not a legitimate reason for refusing consent. Additionally, both of Opposer's attorneys in this matter are involved in several other litigation matters with coinciding deadlines and one of the attorneys will be out of the country for ten days. Finally, Applicant will not be prejudiced by a 30-day extension of time at this early stage of the proceedings. This extension is sought in good faith and not for any improper purpose of delay.

WHEREFORE, Opposer respectfully requests that its motion be granted in all respects.

Dated: October 26, 2009

Respectfully submitted,

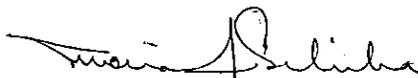
By: 

Stephen L. Baker
Moira J. Selinka
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Attorneys for Opposer,
Borghese Trademarks, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing OPPOSER'S MOTION FOR AN EXTENSION OF TIME TO RESPOND TO APPLICANT'S SUMMARY JUDGMENT MOTION in re Borghese Trademarks, Inc. v. Multi Media Exposure, Inc., Opposition No. 91189629 was served on counsel for Applicant, this 26th day of October, 2009, by sending same via First Class Mail, postage prepaid, to:

Mark S. Kaufman, Esq.
Kaufman & Kaufman, LLP
747 Third Avenue, 32nd Floor
New York, NY 10017

A handwritten signature in black ink, appearing to read "Moira J. Selinka", written over a horizontal line.

Moira J. Selinka