

ESTTA Tracking number: **ESTTA343301**

Filing date: **04/21/2010**

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

Proceeding	91193759
Party	Plaintiff Sephora
Correspondence Address	KATHLEEN E. MCCARTHY KING & SPALDING LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES nytrademarks@kslaw.com,kmccarthy@kslaw.com
Submission	Motion to Extend
Filer's Name	Kathleen E. McCarthy
Filer's e-mail	nytrademarks@kslaw.com,kmccarthy@kslaw.com,zephorah.nure@gmail.com
Signature	/Kathleen E. McCarthy/
Date	04/21/2010
Attachments	Sephora - Zephorah - Motion to Extend.pdf (3 pages)(12953 bytes)

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

SEPHORA,)	
)	
Opposer,)	OPPOSITION NUMBER
)	
v.)	
)	<u>91193759</u>
D.M. Howard,)	
)	
Applicant.)	

Sephora's Motion for Extension of Due Dates

SEPHORA ("Opposer") respectfully requests that all due dates in the subject opposition be extended for 30 days.

The next deadline under the current schedule is the discovery conference which is to be held by April 23, 2010. However, when Opposer sought to schedule the discovery conference, Applicant advised Opposer that Applicant will not pursue the subject application. Applicant has not yet filed formal withdrawal papers. Opposer has asked Applicant to file formal withdrawal papers and additional time is requested to allow Applicant time to file formal withdrawal papers.

The proposed new schedule, in the event that Applicant does not proceed to file formal withdrawal papers, is as follows:

<u>Event</u>	<u>Proposed New Date</u>
Deadline for Discovery Conference	5/23/2010
Discovery Opens	5/23/2010
Initial Disclosures Due	6/23/2010
Expert Disclosures Due	3/20/2011
Discovery Closes	4/20/2011
Plaintiff's Pretrial Disclosures	6/4/2011
Plaintiff's 30-day Trial Period Ends	7/18/2011
Defendant's Pretrial Disclosures	8/2/2011
Defendant's 30-day Trial Period Ends	9/19/2011
Plaintiff's Rebuttal Disclosures	10/3/2011
Plaintiff's 15-day Rebuttal Period Ends	11/3/2011

Respectfully submitted,

KING & SPALDING LLP

/Kathleen E. McCarthy/

Kathleen E. McCarthy
1185 Avenue of the Americas
New York, NY 10036
Phone: (212) 556-2345
Fax: (212) 556-2222
kmccarthy@kslaw.com
Attorneys for Opposer
SEPHORA

CERTIFICATE OF SERVICE

This is to certify, in accordance with Rule 2.101(b) of the Trademark Rules of Practice, that I have this day served the foregoing Sephora's Motion for Extension of Due Dates on the Applicant, by email and by causing a true and correct copy thereof to be deposited in the United States Mail, postage prepaid, addressed to the correspondent of record for the Applicant as indicated in the USPTO TARR database as follows:

D.M. Howard
225 McKinley Ave.
Stratford CT 06615

This 21st day of April, 2010.

/Kathleen E. McCarthy/