

ESTTA Tracking number: **ESTTA459022**

Filing date: **02/28/2012**

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

Proceeding	91196767
Party	Defendant OlÃ© Mexican Foods, Inc.
Correspondence Address	PAUL S OWENS PAUL OWENS & ASSOCIATES PO BOX 15310 ATLANTA, GA 30333-0310 UNITED STATES psowens@bellsouth.net
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Paul S. Owens
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Date	02/28/2012
Attachments	Reopen-Extend Motion.pdf ( 2 pages )(9162 bytes )

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

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In the Matter of Trademark Appl'n No.:  
77/734,156

For the Mark: LA MORENITA

Filing date: May 11, 2009

GRUMA CORPORATION,

Opposer,

v.

Opposition No. 91196767

OLÉ MEXICAN FOODS, INC.,

Applicant.

-----X  
**STIPULATED/CONSENT MOTION TO REOPEN AND EXTEND DISCOVERY AND  
TRIAL DATES**

Pursuant to 37 C.F.R. § 2.120 and § 2.121 and TBMP § 509.01, Applicant and Opposer herein, by and through their respective attorneys, hereby stipulate and consent that the discovery period be reopened and that the discovery and trial dates be reset and extended for sixty (60) days, as follows:

Discovery Closes:	April 24, 2012
Plaintiff's Pretrial Disclosures:	June 6, 2012
Plaintiff's 30-Day Trial Period Ends:	July 21, 2012
Defendant's Pretrial Disclosures:	August 5, 2012
Defendant's 30-Day Trial Period Ends:	September 19, 2012
Plaintiff's Rebuttal Disclosures:	October 4, 2012
Plaintiff's 15-Day Rebuttal Period Ends:	November 3, 2012

The parties are actively engaged in negotiations for the settlement of this matter and request the foregoing extension to allow the parties to continue their settlement efforts. The

undersigned has secured the express consent of Opposer's counsel to this motion for the extension of the dates above. This motion is not made for the purpose of delay or procrastination.

Dated: February 28, 2012

Respectfully submitted,

/paul s. owens/  
Paul S. Owens, Esq.  
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Stipulated/Consent Motion to Reopen and Extend Discovery and Trial Dates has been served upon John M. Cone, Esq., attorney of record for the Opposer, at Hitchcock Evert LLP, P.O. Box 131709, Dallas, Texas 75313-1709, the address designated by said attorney for that purpose, by causing to be mailed a true copy thereof in a sealed envelope, postage prepaid, and deposited with the United States Postal Service as first-class mail on Tuesday, February 28, 2012.

/paul s. owens/  
Paul S. Owens, Esq.