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

Proceeding	91197102
Party	Defendant Scudder, Stephanie F
Correspondence Address	Stephanie F. Scudder Suite 3 324 South Upper Street Lexington, KY 40508 UNITED STATES s.s@uky.edu
Submission	Motion to Extend
Filer's Name	Stephanie Scudder
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Signature	/Stephanie F. Scudder/
Date	01/03/2011
Attachments	91197102 EXTENSIONS.pdf (3 pages)(201451 bytes)

Proceeding No. 91197102
Application No. 77930069
Applicant/ Defendant S. F. Scudder
Date: 01/03/2011

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

Proceeding	91197102
Individual Applicant/ Defendant	Stephanie F. Scudder 324 South Upper Street, Lexington, KY 40508 UNITED STATES s.s@uky.edu
Opposes/Plaintiffs	Vail Valley Foundation; Vail Trademarks, Inc Correspondence via: Marc C. Levy FAEGRE & BENSON LLP 1700 Lincoln Street, 3200 Wells Fargo Center Denver, CO 80203-4532 UNITED STATES trademarkdnvr@faegre.com, mlevy@faegre.com

Motion to Extend ALL DATES for Time for Discovery, Disclosures, Pre-Trial, Trial, Rebuttal Periods, Etc.

The individual Stephanie F. Scudder requests **ALL** dates and any dates applicable to this case be **extended for 60 days, measured and “set to run from the date of the Board's decision on the motion.”**¹ All Defendant deadlines for Discovery Conference, Discovery Open, Initial Disclosure Due, Expert Disclosure Due, Discovery Closure, Pretrial Disclosures, 30-day Trial Period Ending, Rebuttal Disclosures, 15-day Rebuttal Period End, etc., are set as follows:

Deadline for Discovery Conference 1/4/2011
Discovery Opens 1/4/2011
Initial Disclosures Due 2/3/2011
Expert Disclosures Due 6/3/2011
Discovery Closes 7/3/2011
Plaintiff's Pretrial Disclosures 8/17/2011
Plaintiff's 30-day Trial Period Ends 10/1/2011
Defendant's Pretrial Disclosures 10/16/2011
Defendant's 30-day Trial Period Ends 11/30/2011
Plaintiff's Rebuttal Disclosures 12/15/2011
Plaintiff's 15-day Rebuttal Period Ends 1/14/2012

¹ <http://www.uspto.gov/web/offices/dcom/ttab/tbmp/500.pdf>, (page 500 – 45, beginning line 7)

The individual Stephanie F. Scudder requests that **ALL such dates, and any dates applicable to this case, and/or previously mentioned, be extended for 60 days, measured and reset respectively from the date of the Board's ruling on this motion.** The grounds for this request are as follows:

The Defendant needs additional time to seek council to represent it in this matter.

The Defendant needs additional time to confer with council.

The Defendant needs to investigate this claim further.

The Applicant filed a Motion to Extend ALL DATES on December 23, 2010, believing it had consent. However, Opposition/Plaintiff's attorney revoked consent after the Applicant submitted a motion that requested future dates be set from the date of the Board's ruling on the motion. The Plaintiff's attorney, in response, revoked its consent, and said it would only consent if future dates were moved forward based on the original schedule. The Applicant however, would like to follow the Trial and Appeal Board Manual of Procedure and respectfully submit that ALL DATES be measured and "set to run from the date of the Board's decision on the motion."²

This motion is filed without consent, yet supersedes and obviates the December 23, 2010 motion filed by Opposition/Plaintiff attorney.

Stephanie F. Scudder, the Defendant/ Applicant, has filed this motion prior to the deadline, and prays this Motion to Extend **ALL DATES** will be granted via the aforementioned good cause reasons (*Procyon Pharmaceuticals Inc. v. Procyon Biopharma Inc.*, 61 USPQ2d 1542 (TTAB 2001); and *Societa Per Azioni Ruffino v. Colli Spolentini Spoletoducale*, 59 USPQ2d 1383 (TTAB 2001)).

Stephanie F. Scudder has provided e-mail addresses herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board. The Applicant swears the motion is not necessitated by the Applicant's own lack of diligence or unreasonable delay in taking required action during the time previously allotted.

² <http://www.uspto.gov/web/offices/dcom/ttab/tbmp/500.pdf>, (page 500 – 45, beginning line 7)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their attorney's address record by email and First Class Mail. The Applicant would like to thank the Board for consideration of this motion.

Respectfully submitted,

/Stephanie F. Scudder/

Stephanie F. Scudder

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UNITED STATES OF AMERICA

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