

ESTTA Tracking number: **ESTTA499348**

Filing date: **10/10/2012**

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

Proceeding	91199752
Party	Defendant Afgritech Ltd.
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Submission	Stipulated/Consent Motion to Extend
Filer's Name	Thomas H. Van Hoozer
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Signature	/Thomas H. Van Hoozer/
Date	10/10/2012
Attachments	Stipulated Motion to Modify CMO _10-10-12_.pdf (4 pages)(25390 bytes)

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

Evonik Degussa GmbH)	
)	
Opposer,)	
)	
v.)	Consolidated Opposition No. 91199752
)	
Afgritech Ltd.)	
)	
Applicant.)	

STIPULATED MOTION TO MODIFY CASE MANAGEMENT ORDER

The parties jointly move the Trademark Trial and Appeal Board to extend each of the current deadlines by 60 days and modify the case management order in this proceeding as follows:

<u>Event</u>	<u>Scheduled Date</u>	<u>Requested Date</u>
Discovery Closes	October 15, 2012	December 14, 2012
Evonik's pretrial disclosures due	November 29, 2012	January 28, 2013
Evonik's 30-day testimony period as plaintiff in Opposition No. 91199752 to open	December 14, 2012	February 12, 2013
Evonik's 30-day testimony period as plaintiff in Opposition No. 91199752 to close	January 13, 2013	March 15, 2013
Afgritech's pretrial disclosures due	January 28, 2013	March 30, 2013
Afgritech's 30-day testimony period as defendant in Opposition No. 91199752 and as plaintiff in Opposition No. 91200334 to open	February 12, 2013	April 13, 2013

Afgritech's 30-day testimony period as defendant in Opposition No. 91199752 and as plaintiff in Opposition No. 91200334 to close	March 14, 2013	May 13, 2013
Evonik's pretrial disclosures for rebuttal in Opposition No. 91199752 and as defendant in Opposition No. 91200334 due	March 29, 2013	May 28, 2013
Evonik's 30-day testimony period as defendant in Opposition No. 91200334 and for rebuttal as plaintiff in Opposition No. 91199752 to open	April 13, 2013	June 12, 2013
Evonik's 30-day testimony period as defendant in Opposition No. 91200334 and for rebuttal as plaintiff in Opposition No. 91199752 to close	May 13, 2013	July 12, 2013
Afgritech's rebuttal disclosures as plaintiff in Opposition No. 91200334 due	May 28, 2013	July 27, 2013
Afgritech's 15-day rebutal testimony period as plaintiff in Opposition No. 91200334 to open	June 12, 2013	August 11, 2013
Afgritech's 15-day rebutal testimony period as plaintiff in Opposition No. 91200334 to close	June 27, 2013	August 26, 2013
Brief for Evonik as plaintiff in Opposition No. 91199752 due	August 26, 2013	October 25, 2013
Brief for Afgritech as defendant in Opposition No. 91199752 and as plaintiff in Opposition No. 91200334 due	September 25, 2013	November 24, 2013

Brief for Evonik as defendant
in Opposition No. 91200334
and reply brief, if any, as
plaintiff in Opposition No.
91199752 due

October 25, 2013

December 24, 2013

Reply brief, if any, for
Afgritech as plaintiff in
Opposition No. 91200334 due

November 9, 2013

January 8, 2014

In support of the Motion, the parties provide the following:

1. The parties would like an additional extension of the remaining deadlines.
2. Counsel for Opposer, Mr. Scott Woldow, initially suggested an extension of the deadlines and on October 10, 2012, affirmatively joined in this Motion for an extension via email correspondence.

Conclusion

Accordingly, the parties respectfully request that the Board modify the case management order as set forth above.

Dated: October 10, 2012

Respectfully Submitted,

By its Attorneys,

/s/Thomas H. Van Hoozer

Thomas H. Van Hoozer

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Attorneys for Applicant Afgritech Ltd.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was deposited with the United States Postal Service as first class mail, postage prepaid, on this 10th day of October, 2012 to:

Scott D. Woldow, Esq.
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Attorneys for Opposer
Evonik Degussa GmbH

/s/Thomas H. Van Hoozer _____