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

Proceeding	91200832
Party	Plaintiff Briggs & Stratton Corporation
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Date	06/16/2015
Attachments	Stipulation to Take Trial Testimony Out of Time.pdf(13272 bytes)

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

BRIGGS & STRATTON CORPORATION)	
)	
Opposer,)	Opposition No. 91200832 (Parent)
vs.)	
)	
HONDA GIKEN KOGYO KABUSHIKI KAISHA,)	
)	
Applicant.)	
)	
KOHLER CO.)	
)	
Opposer,)	Opposition No. 91200146
vs.)	
)	
HONDA GIKEN KOGYO KABUSHIKI KAISHA,)	
)	
Applicant.)	
)	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

STIPULATION TO TAKE TRIAL TESTIMONY OUT OF TIME

Opposers Briggs & Stratton Corporation (“Briggs”) and Kohler Co. (“Kohler”) (collectively, “Opposers”) and Applicant Honda Giken Kogyo Kabushiki Kaisha (“Honda”) (collectively, “Parties”), by and through their respective counsel of record, hereby stipulate and agree as follows:

1. On March 17, 2015, the Parties submitted a Joint Motion to Modify the Case Schedule. Dkt. No. 108. The Joint Motion requested that Opposers’ trial period end July 16, 2015.

2. On March 27, 2015, the Board granted the Parties' Joint Motion and set the case schedule in accordance with the dates set forth in the Motion, including the July 16, 2015 end date for Opposers' trial period. Dkt. No. 109.

3. The Parties have worked together to schedule trial testimony at mutually agreeable dates and locations. However, due to scheduling issues on the part of both counsel and the witnesses, the Parties were unable to find a mutually agreeable time within Opposers' trial period for two witnesses: Briggs VP Global Technical Service Mr. Peter Hotz, and Opposers' survey expert Mr. Hal Poret.

4. The Parties have agreed on times to take Messrs Hotz and Poret's trial testimony shortly after Opposers' trial period ends, specifically on July 17, 2015 for Mr. Hotz and July 20, 2015 for Mr. Poret.

WHEREAS Opposers seek the Board's permission to take Messrs. Hotz and Poret's trial testimony outside their trial period, specifically: July 17, 2015 for Mr. Hotz and July 20, 2015 for Mr. Poret; and

WHEREAS the dates set forth in this stipulation are acceptable to Honda.

BASED UPON THE FOREGOING, IT IS HEREBY STIPULATED that the trial testimony of Mr. Peter Hotz may be taken after Opposers' trial period on July 17, 2015, and the trial testimony of Mr. Hal Poret may be taken after Opposers' trial period on July 20, 2015.

Dated: June 16, 2015

By: /s/ Robert N. Phillips
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Attorneys for Opposer Briggs & Stratton
Corporation

Dated: June 16, 2015

By: /s/ Kenneth Nowakowski

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Dated: June 16, 2015

By: /s/ Sarah R. Frazier

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Attorneys for Applicant

IT IS SO ORDERED.

Dated: _____, 2015

Cheryl S. Goodman
Interlocutory Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing STIPULATION TO TAKE TRIAL TESTIMONY OUT OF TIME was served via first class mail, postage prepaid, this 16th day of June, 2015 upon:

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