

ESTTA Tracking number: **ESTTA502623**

Filing date: **10/29/2012**

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

Proceeding	91200832
Party	Plaintiff Briggs & Stratton Corporation
Correspondence Address	ROBERT N PHILLIPS REED SMITH LLP 101 SECOND STREET SAN FRANCISCO, CA 94105 UNITED STATES ipdocket-chi@reedsmith.com, nborders@reedsmith.com, robphillips@reedsmith.com, ddaugherty@whdlaw.com
Submission	Other Motions/Papers
Filer's Name	Robert N. Phillips
Filer's e-mail	robphillips@reedsmith.com, sherring@reedsmith.com, dkalahahele@reedsmith.com
Signature	/s/ Robert N. Phillips
Date	10/29/2012
Attachments	Joint Motion to Modify Case Schedule (91200832 Parent Case).pdf (4 pages) (77938 bytes)

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

BRIGGS & STRATTON CORPORATION
AND KOHLER CO.,

Opposer,

vs.

HONDA GIKEN KOGYO KABUSHIKI
KAISHA,

Applicant.

Opposition No. 91200832 (parent)

Opposition No. 91200146

Application Serial No. 78924545

JOINT MOTION TO MODIFY CASE SCHEDULE

Briggs & Stratton Corporation and Kohler Co. (together, “Opposers”), and Honda Giken Kogyo Kabushiki Kaisha (“Applicant”) through their designated counsel, jointly request that the dates for disclosure of rebuttal experts and expert discovery set by the Trademark Trial and Appeal Board’s October 12, 2012 Order be rescheduled. Though much of fact discovery has been stayed, the parties are proceeding with expert disclosures and discovery in the interest of efficiency. This is the parties’ first request seeking an extension of time related to expert discovery and expert rebuttal disclosures, and is intended to accommodate the time required for the remaining expert discovery and the schedules of counsel and the four experts retained by the parties. Specifically, the parties request that:

1. The date by which the parties must make any expert rebuttal disclosures be set for Wednesday, November 21, 2012; and
2. The deadline for completing expert discovery be set for Friday, February 1, 2013

WHEREFORE, cause having been shown, the parties respectfully request that their joint motion be granted.

Dated this 29th day of October, 2012.

WHYTE HIRSCHBOECK DUDEK S.C.
Attorneys for Opposer Kohler Co.

By: /s/ Donald A. Daugherty
Donald A. Daugherty
Christopher R. Walker

P.O. ADDRESS:
555 East Wells Street
Suite 1900
Milwaukee, WI 53202
414-273-2100

Dated this 29th day of October, 2012.

REED SMITH LLP
Attorneys for Opposer Briggs & Stratton
Corporation

By: /s/ Robert N. Phillips
Robert N. Phillips
Seth B. Herring

P.O. ADDRESS:
101 Second Street
Suite 1800
San Francisco, CA 94105
415-543-8700

Dated this 29th day of October, 2012.

WILMER HALE
Attorneys for Applicant Honda Giken Kogyo
Kabushiki Kaisha

By: /s/ Silena Y. Paik
Silena Y. Paik
Vinita Ferrera

P.O. ADDRESS:
60 State Street
Boston, MA 02109 USA
617-526-6000

CERTIFICATE OF SERVICE

In accordance with Rule 2.105(a) of the Trademark Rules of Practice, as amended, it is hereby certified that a true copy of the foregoing JOINT MOTION TO MODIFY CASE SCHEDULE was served on the following counsel of record for Applicant, by depositing same in the U.S. mail, first class postage prepaid, this 29th day of October, 2012:

Silena Y. Paik
Vinita Ferrera
Wilmer Hale
60 State Street
Boston, MA 02109-1800
Phone: (617) 526-6448
Fax: (617) 526-5000

Donald A. Daugherty
Christopher R. Walker
Whyte Hirschboeck Dudek, S.C.
555 East Wells Street, Suite 1900
Milwaukee, WI 53202
Phone: (414) 273-2100

/s/ Deborah L. Kalahale

Deborah L. Kalahale