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Filing date: **09/20/2012**

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

Proceeding	91203913
Party	Plaintiff Cain Cellars, Inc. d/b/a Cain Vineyard and Winery
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Submission	Stipulated/Consent Motion to Extend
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Date	09/20/2012
Attachments	Joint Motion to Extend Schedule.120920.pdf ( 4 pages )(131207 bytes )

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

15 CAIN CELLARS, INC. d/b/a CAIN VINEYARD  
16 AND WINERY, a corporation,

17 Opposer,

18 v.

19 SCHMITT SÖHNE GMBH WEINKELLEREI,  
20 a Federal Republic of Germany limited liability  
21 company,

22 Applicant.

**STIPULATED MOTION TO EXTEND  
SCHEDULE**

Opposition No. 91203913

Application Serial No. 79101857

23 Pursuant to TBMP §§ 501-502, the parties respectfully submit this stipulated motion for a 90-day  
24 extension of the current schedule in the above-referenced action. Good cause exists for the requested  
25 extension. The parties are actively engaged in settlement discussions, and have agreed to participate in  
26 mediation in an effort to resolve their dispute. The parties anticipate that the mediation will occur in late  
27 October or early November. Accordingly, the parties believe it would promote efficiency to extend the  
current schedule while they pursue settlement negotiations and mediation.

1 If granted, the requested extension would result in the following schedule:

2	Time to Answer	CLOSED
3	Deadline for Discovery Conference	CLOSED
4	Discovery Opens	CLOSED
5	Initial Disclosures Due	CLOSED
6	Expert Disclosures Due	12/24/2012
7	Discovery Closes	01/22/2013
8	Plaintiff's Pretrial Disclosures	03/08/2013
9	Plaintiff's 30-Day Trial Period Ends	04/22/2013
10	Defendant's Pretrial Disclosures	05/17/2013
11	Defendant's 30-Day Trial Period Ends	03/23/2013
12	Plaintiff's Rebuttal Disclosures	07/08/2013
	Plaintiff's 15-Day Rebuttal Period Ends	08/05/2013

13 The parties jointly consent to the requested extension, and no prejudice will result from the  
14 requested extension.

15 Dated: September 20, 2012

Respectfully submitted,

16 HARVEY SISKIND LLP  
17 D. PETER HARVEY  
18 NAOMI JANE GRAY

19 By:           /Naomi Jane Gray/            
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**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the attached **STIPULATED MOTION TO EXTEND SCHEDULE**, dated September 20, 2012 (Opposition No. 91203913), was served on Applicant’s counsel by mailing a copy via electronic mail, per the parties’ agreement, on September 20, 2012, addressed to:

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*/Cynthia Lee/*  
Cynthia Lee

**CERTIFICATE OF TRANSMISSION**

I hereby certify that a true and correct copy of the attached **STIPULATED MOTION TO EXTEND SCHEDULE**, dated September 20, 2012 (Opposition No. 91203913), is being electronically transmitted to the Trademark Trial and Appeal Board on September 20, 2012.

*/Naomi Jane Gray/*  
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Naomi Jane Gray