

ESTTA Tracking number: **ESTTA476551**

Filing date: **06/06/2012**

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

Proceeding	91204473
Party	Defendant Edmund Frette S.A.R.L.
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Submission	Motion to Extend
Filer's Name	Jeffrey H. Kaufman
Filer's e-mail	tmdocket@oblon.com,jkaufman@oblon.com
Signature	/Jeffrey H. Kaufman/
Date	06/06/2012
Attachments	Motion to Extend.pdf ( 4 pages )(27907 bytes )

Attorney Docket No.: 398978US33

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

PICKIN' COTTON COMMUNICATIONS LLC,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No.: 91204473
	)	Appln. Serial No. 79/103,520
EDMUND FRETTE S.A.R.L.,	)	
	)	
Applicant.	)	

The Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MOTION TO EXTEND TIME TO ANSWER,**  
**DISCOVERY AND TRIAL DATES**

Applicant, Edmund Frette S.a.r.l., moves for a 60-day extension of time to file its Answer or other responsive pleading.

The grounds for this request are that undersigned counsel was retained last month to represent the Applicant in this Opposition. Applicant previously requested a 30-day extension of time to answer, which the Board granted. Although Applicant's undersigned counsel has been reviewing this matter and conferring with Applicant and its representative, who are located in Italy, Applicant is not yet in a position to Answer the Opposition.

This requested extension is required because of the complexity of the issues raised in the Opposition papers. Those papers were filed by Opposer's "representative", on behalf of the corporate Opposer. The individual who filed the papers, Matt Fogarty, MD, is apparently not a member of the Bar, and his affiliation with Opposer is unclear. For this and other reasons, Applicant's undersigned counsel is uncomfortable contacting Dr. Fogarty at this time, and undersigned counsel has not sought Opposer's consent to this extension request.

The issues presented by the opposition papers include claims of rights in marks that appear to have no relationship to the present Opposition (for example, the marks HOOD PREP and SOUTHERN BEAU); as well as a claim in Count Two that Opposer's mark is famous and that Applicant's mark has caused dilution of Opposer's famous mark(s). These issues require further study and investigation in order for Applicant to prepare an appropriate response.

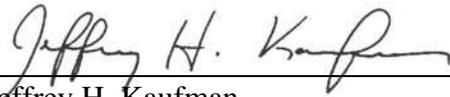
As noted, Applicant is located outside the United States. Counsel needs additional time to confer with his client and gather the information needed to prepare an appropriate response.

With good cause having been shown, Applicant requests that the Board grant this request and reset all trial dates as follows:

Time to Answer	8/4/2012
Deadline for Discovery Conference	9/4/2012
Discovery Opens	9/4/2012
Initial Disclosures Due	10/4/2012
Expert Disclosures Due	1/1/2013
Discovery Closes	3/3/2013
Plaintiff's Pretrial Disclosures	4/17/2013
Plaintiff's 30-day Trial Period Ends	6/1/2013
Defendant's Pretrial Disclosures	6/16/2013
Defendant's 30-day Trial Period Ends	7/31/2013
Plaintiff's Rebuttal Disclosures	8/15/2013
Plaintiff's 15-day Rebuttal Period Ends	9/14/2013

Respectfully submitted,

EDMUND FRETTE S.A.R.L.

By:   
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Date: June 6, 2012  
JHK/klk {6921685\_1.DOC}

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **MOTION TO EXTEND DISCOVERY AND TRIAL DATES** was served on Opposer's representative, this 6<sup>th</sup> day of June, 2012, by sending same via First Class mail, postage prepaid, to:

Matt Fogarty, MD  
Pickin' Cotton Communications, LLC  
232 Ivory Street  
Lafayette, LA 70506

  
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