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Filing date: **07/16/2015**

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

Proceeding	91209617
Party	Plaintiff Xikar, Inc.
Correspondence Address	GINNIE C DERUSSEAU ERICKSON KERNELL ET AL 8900 STATE LINE RD STE 500 LEAWOOD, KS 66206 UNITED STATES ekdkdocket@kcpatentlaw.com, ginnied@kcpatentlaw.com, mjiles@kcpatentlaw.com
Submission	Motion to Extend
Filer's Name	Ginnie C. Derusseau
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Signature	/Ginnie C. Derusseau/
Date	07/16/2015
Attachments	20150716 Motion for suspension and extension of time.pdf(171355 bytes ) 20150716 Brief in Support of Suspension and Extension of Time.pdf(170803 bytes )

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

In re Application Serial No. 85/652,496,  
filed June 14, 2012, CICAR

XIKAR, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91209617
	)	
DEBRA WISEBERG D/B/A BRAM	)	
WARREN COMPANY,	)	
	)	
Applicant.	)	
_____	)	

OPPOSER’S MOTION FOR SUSPENSION  
OF PROCEEDINGS AND EXTENSION OF TIME

Opposer hereby moves the Board for an additional twenty (20) day suspension of proceedings and an additional thirty (30) day extension of the time for all trial dates and deadlines in this proceeding.<sup>1</sup> Opposer sought the consent of Applicant with regard to this motion via telephone but has been unable to reach Applicant. As detailed in Opposer’s Brief in Support of this Motion, additional time is requested by Opposer because Opposer’s counsel will not be available due to travel at the time Applicant’s requested suspension is due to expire.

Upon grant of this motion, the additional twenty day suspension will expire on August 19, 2015 and the trial dates and deadlines will be as follows:

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<sup>1</sup> Applicant’s Motion to Suspend Proceedings for 20 days and Verification of Counterclaim Fee Paid is co-pending. In addition to the request for a 20 day suspension, her motion seeks a 30 day extension of deadlines. Opposer does not oppose her motion and by this motion seeks additional time.

Plaintiff's Pretrial Disclosures	October 7, 2015
30-day testimony period for plaintiff's testimony to close	November 21, 2015
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	December 6, 2015
30-day testimony period for defendant and plaintiff in the counterclaim to close	January, 20 2016
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	February 4, 2016
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	March 20, 2016
Counterclaim Plaintiff's Rebuttal Disclosures Due	April 4, 2015
15-day rebuttal period for plaintiff in the counterclaim to close	May 4, 2015
Brief for plaintiff due	July 3, 2016
Brief for defendant and plaintiff in the counterclaim due	August 2, 2015
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	September 1, 2015
Reply brief, if any, for plaintiff in the counterclaim due	September 16, 2015

Respectfully submitted,

*/Ginnie C. Derusseau/*

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Ginnie C. Derusseau, P.O. Reg. No. 35,855  
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& KLEYPAS, LLC  
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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's Motion for Suspension of Proceedings and Extension of Time has been served upon Debra Wiseberg d/b/a Bram Warren Company, 18100 S.W. 50th Street, Southwest Ranches, FL 33331 and via e-mail at [bramwarren@bramwarren.com](mailto:bramwarren@bramwarren.com), this 16th day of July 2015.

*/Ginnie C. Derusseau/*

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v.	)	Opposition No. 91209617
	)	
DEBRA WISEBERG D/B/A BRAM	)	
WARREN COMPANY,	)	
	)	
Applicant.	)	
_____	)	

BRIEF IN SUPPORT OF OPPOSER’S MOTION FOR  
SUSPENSION OF PROCEEDINGS AND EXTENSION OF TIME

Opposer hereby submits the following grounds in support of its motion for suspension of proceedings and extension of time:

1. Opposer’s motion follows Applicant’s request for suspension and extension of deadlines, which was served July 10, 2015.
2. The reason given by Applicant for the her motion and the requested suspension and extension is that she will be very busy attending to business matters, including attending a trade show and doesn’t have time to tend to this opposition.

3. Opposer consents to Applicant's motion.<sup>1</sup> Applicant has filed a response to Applicant's Motion concurrently herewith.

4. According to the schedule requested by Applicant's motion, the suspension period expires July 30, 2015.

5. Before filing this motion, Opposer telephoned and left a message for Applicant to discuss her motion and request consent for this motion and has not heard back from Applicant.

6. Opposer is also out of town on business travel over the next week, attending a trade show.

7. The undersigned will be out of town beginning August 1, 2015 for two weeks on a family vacation that has been planned for six months. The undersigned is the counsel who is most intimately involved in this opposition, especially with regard to discovery issues. It will be much more efficient for the undersigned to handle such matters upon return from vacation.

8. The additional twenty (20) day suspension and thirty (30) day extension of deadlines will not prejudice Applicant, especially in view of her apparently very busy business schedule.

9. The requested time will give the parties an opportunity to finalize discovery matters, if necessary, before the new schedule of deadlines begins again.

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<sup>1</sup> Notably, if Applicant had called or emailed Opposer's counsel prior to filing, consent would have been given and the need for Applicant's motion, Opposer's response thereto and this motion could have been avoided.

Accordingly, for these reasons, Opposer requests that its motion be granted and the dates reset as set forth in the motion.

Respectfully submitted,

*/Ginnie C. Derusseau/*

Ginnie C. Derusseau, P.O. Reg. No. 35,855

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*/Ginnie C. Derusseau/*