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Filing date: **01/06/2014**

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

Proceeding	91210494
Party	Plaintiff M/s. RUCHI SOYA INDUSTRIES LIMITED
Correspondence Address	ROBERT B GOLDEN 1 CHASE ROAD, LACKENBACH SIEGEL BUILDING SCARSDALE, NY 10583-4156 UNITED STATES rgolden@LSLLP.com, nsaraco@LSLLP.com
Submission	Motion to Extend
Filer's Name	Cathy E. Shore-Sirotin
Filer's e-mail	rgolden@LSLLP.com, cshore@LSLLP.com, tmefs@LSLLP.com, emenist@LSLLP.com
Signature	/Cathy E. Shore-Sirotin/
Date	01/06/2014
Attachments	motion to extend 1.6.2013.pdf(18739 bytes )

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

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<b>M/s. RUCHI SOYA INDUSTRIES LIMITED,</b>	:	
	:	
<b>Opposer,</b>	:	
	:	
<b>v.</b>	:	<b>Opposition No.: 91210494</b>
	:	
<b>MEENAXI ENTERPRISE, INC.,</b>	:	
	:	
<b>Applicant.</b>	:	
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**OPPOSER’S MOTION FOR A 60-DAY EXTENSION OF DISCOVERY PERIOD  
AND TESTIMONY PERIODS FOR GOOD CAUSE**

Pursuant to § 2.120(a) of Title 37 of the Code of Federal Regulations, §§ 430.04 and 509.01(a) of the TBMP and the relevant Federal Rules of Civil Procedure, including Rule 6(b), M/s. Ruchi Soya Industries Limited (“Opposer”), hereby moves for a sixty (60) day extension of the discovery period, and a corresponding extension to all subsequent deadlines, for good cause, as shown below.

Opposer certifies that it repeatedly sought the consent of the Applicant, but Applicant’s counsel has not returned any of Opposer’s telephone calls or emails.

**ARGUMENT**

Opposer is a corporation organized and existing in and under the laws of India. All correspondence between Opposer’s counsel of record and Opposer is through an intermediary Indian law firm which, among other services, translates all correspondence and official

documents. Additionally, Opposer is not familiar with U.S. Opposition proceeding procedures and expenses, as they differ dramatically from Indian procedure. As a result, obtaining information and requisite authority to act takes much longer than usual. Nevertheless, Opposer did prepare and serve written discovery requests during the discovery period. Unfortunately, due to the delay (as described above), the written discovery could not be served early enough in the discovery period to permit Opposer time to take depositions after Opposer receives responses from Applicant.

Because the discovery period is still open, Opposer need only establish “good cause” for the requested extension. TBMP § 509.01(a); Fed. R. Civ. P. 6(b)(1)(A). Opposer submits that the above-recited facts establish the requisite good cause. The undersigned lead counsel has been in essential constant contact with Opposer’s Indian law firm, for purposes of explaining in detail U.S. opposition proceedings, especially the complexity of U.S. discovery procedures and the related potential costs. The need for the extension is not a result of unreasonable delay or neglect. This is Opposer’s first request for an extension of time.

Assuming that Opposer’s 60-day extension request is granted, the new deadlines will be as follows:

Time To Answer	CLOSED
Deadline for Discovery Conference	CLOSED
Discovery Opens	CLOSED
Initial Disclosures Due	CLOSED
Expert Disclosures Due	CLOSED
Discovery Closes	03/07/2014

Plaintiff's Pretrial Disclosures	04/22/2014
Plaintiff's 30-day Trial Period Ends	06/06/2014
Defendant's Pretrial Disclosures	06/23/2014
Defendant's 30-day Trial Period Ends	08/05/2014
Plaintiff's Rebuttal Disclosures	08/20/2014
Plaintiff's 15-day Rebuttal Period Ends:	09/19/2014

**WHEREFORE**, good cause having been shown, Opposer respectfully requests that its motion to extend discovery be granted, and the discovery and testimony deadlines be reset as set forth above.

Dated: Scarsdale, New York  
January 6, 2014

Respectfully submitted,

**LACKENBACH SIEGEL, LLP**

By:           /Robert Golden/            
Robert B. Golden  
Lackebach Siegel Building  
One Chase Road  
Scarsdale, New York 10583  
(914) 723-4300  
(914) 723-4301 fax  
*Attorneys for Opposer*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the enclosed **OPPOSER'S MOTION FOR A 60-DAY EXTENSION OF DISCOVERY PERIOD AND TESTIMONY PERIODS FOR GOOD CAUSE** was served on the date set forth below, via U.S. 1st Class Mail, addressed to counsel for Applicant as follows:

Jung Jin Lee, Esq.  
Lee, Lee & Associates, P.C.  
2531 Jackson Road, Suite 234  
Ann Arbor, MI 48103

Dated: Scarsdale, New York  
January 6, 2014

/Eric Menist/  
Eric Menist