

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

Fred Wisniewski, a/k/a Captain Rat,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 20,442
)	
Captain Rat and the Blind Rivets,)	
)	
Respondent.)	

**MOTION TO EXTEND DISCOVERY
AND TESTIMONY PERIODS
AND
TO EXTEND DATE FOR FILING
AND SERVICE OF DEPOSITION TRANSCRIPTS**

Petitioner, Fred Wisniewski, a/k/a Captain Rat, hereby requests that the discovery and testimony periods be extended sixty (60) days as follows:

Testimony period for party in position of plaintiff to close	November 12, 2005
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	January 11, 2006
Rebuttal testimony period to close (opening fifteen days prior thereto)	March 12, 2006

The extension is requested to allow the parties additional time to complete and execute an agreement resolving this matter.

Petitioner further requests that the deadline for the service and filing of deposition transcripts for the depositions that were completed be extended sixty (60) days to November 18, 2005. This extension is requested both because the parties have been focusing their attention on settlement and because respondents, whose testimony was taken, have not yet reviewed and signed



their deposition transcripts given the parties' focus on settlement.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, John Bostjancich, hereby certify that a copy of the foregoing Motion To Extend Discovery And Testimony Periods And To Extend Date For Filing And Service Of Deposition Transcripts was served upon Respondent, Captain Rat And The Blind Rivets, 220 W. Main Street, Urbana, Illinois 61801 and Roger L. Prillaman, Prillaman & Moore Ltd., 220 W. Main Street, Urbana, Illinois 61801, by first class mail, postage prepaid, this 12th day of September 2005.

John Bostjancich
Attorneys For Petitioner

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on September 12, 2005.

Date: September 12, 2005

John Bostjancich