

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	July 12, 2005
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	September 10, 2005
Rebuttal testimony period to close (opening fifteen days prior thereto)	October 26, 2005



05-16-2005

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The extension is requested because the parties have exchanged drafts of a written agreement for resolving this matter. Additional time is needed to complete the agreement.

Petitioner further requests that the deadline for the service and filing of deposition transcripts for the depositions that were completed be extended six (60) days to July 19, 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 12<sup>th</sup> day of May 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 May 12, 2005.

JOHN BOSTJANCICH

Date: May 12, 2005

John Bostjancich