

TTAB

5569-71545

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

THE CHAMBERLAIN GROUP, INC.)
)
Petitioner,)
)
v.)
)
WAYNE-DALTON CORP.,)
)
Registrant.)



Cancellation No. 31,917
Reg. No. 2,427,098

**CONSENTED MOTION TO EXTEND
DISCOVERY AND TRIAL DATES**

Petitioner hereby moves, with the consent of Counsel for Registrant, that the discovery and testimony periods herein be extended for 30 days as follows:

- Period for discovery to close: February 24, 2002
- 30-day testimony period for party in position of plaintiff to close: May 24, 2002
- 30-day testimony period for party in position of defendant to close: July 23, 2002
- 15-day rebuttal testimony period for plaintiff to close: September 6, 2002

This extension of time is being requested because the parties have conducted certain informal discovery and are discussing the possibility of settlement. The parties require additional time in which to complete discovery should settlement not be reached. The parties also require additional time to continue to explore settlement discussions. This request is not being sought for purposes of delay.

As noted above, Laura J. Gentilcore, Counsel for Registrant, has consented to the resetting of the dates in this Motion during a telephone conversation on January 25, 2002.

Respectfully submitted,

January 25, 2002

By:



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CERTIFICATE OF SERVICE

I, Sandra V. Scavo, one of the Attorneys for Petitioner, hereby certify that a copy of the foregoing **CONSENTED MOTION TO EXTEND DISCOVERY AND TRIAL DATES** was served via first class mail upon Attorneys for Registrant, Phillip L. Kenner and Laura J. Gentilcore, Renner, Kenner, Grieve, Bobak, Taylor & Weber, Fourth Floor, First National Tower, Akron, Ohio 44308-14356, on this 25th day of January 2002.

By:



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