

TTAB

Attorney Docket No.: 81133-11

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

PREMIER CANDLE CORP.,)

Cancellation No. 92040906

Petitioner,)

FIRST STIPULATED REQUEST TO
EXTEND DISCOVERY PERIOD AND
RESCHEDULE TESTIMONY DATES

v.)

STARLUME, INC.,)

Respondent.)

01-24-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #6

Pursuant to 37 C.F.R. §§ 2.120(a) and 2.121(a)(1) & (d), §§ 403.04 and 501.03 of the Trademark Trial and Appeal Board Manual of Procedure, and Rule 6(b) of the Federal Rules of Civil Procedure, Petitioner PREMIER CANDLE CORP. and Respondent STARLUME, INC. stipulated on January 24, 2003 to a two-month extension of the discovery period (which had been scheduled to close on March 7, 2003) and testimony deadlines in the above-captioned cancellation proceeding. The period for discovery and trial dates are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE

May 07, 2003

Testimony period for party in
position of plaintiff to close
(opening thirty days prior thereto)

August 05, 2003

Testimony period for party in
position of defendant to close
(opening thirty days prior thereto)

October 04, 2003

Rebuttal testimony period to close
(opening fifteen days prior thereto)

November 18, 2003

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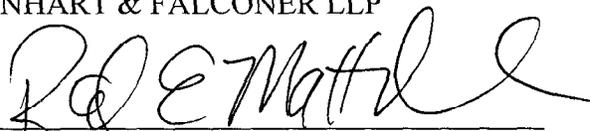
Petitioner's attorney, William Logsdon of Webb Ziesenheim Logsdon Orkin & Hanson, P.C., gave his consent by telephone to this extension of time and to the filing of this Stipulated Request by Respondent's attorney on behalf of both parties on January 24, 2003.

Respectfully submitted,

STEINHART & FALCONER LLP

Date: January 24, 2003

By:



Rachel E. Matteo-Boehm
Steinhart & Falconer LLP
333 Market Street, Suite 3200
San Francisco, CA 94105-2150
Telephone: 415-777-3999
Attorneys for Respondent
STARLUME, INC.

CERTIFICATE OF SERVICE

The undersigned attorney for Starlume, Inc. hereby certifies that one copy of the following document was served:

**FIRST STIPULATED REQUEST TO EXTEND DISCOVERY PERIOD AND
RESCHEDULE TESTIMONY DATES**

on Petitioner Premier Candle Corp. by U.S. mail to Petitioner's attorneys:

William H. Logsdon, Esq.
Kent E. Baldauf, Jr., Esq.
Philip J. Foret, Esq.
Webb, Ziesenheim, Logsdon,
Orkin & Hanson, P.C.
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818

this 24th day of January 2003.



Rachel E. Matteo-Boehm

CERTIFICATE OF EXPRESS MAIL MAILING

I, Nancy K. Burnett, do hereby certify that the enclosed FIRST STIPULATED REQUEST TO EXTEND DISCOVERY PERIOD AND RESCHEDULE TESTIMONY DATES is being deposited with the United States Postal Service as Express Mail, postage prepaid, in a box addressed to the Assistant Commissioner For Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on this date of January 24, 2003.

By *Nancy K. Burnett*

(Name) Nancy K. Burnett

Express Mail Label No. EV085010451US

Date of Deposit January 24, 2003

TTAB

STEINHART & FALCONER LLP

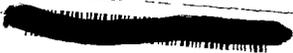
A LIMITED LIABILITY PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

ATTORNEYS

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January 24, 2003

01-24-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #6

VIA EXPRESS MAIL Label No. EV085010451US

BOX TTAB - NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: PREMIER CANDLE CORP. v. STARLUME, INC.
Cancellation No.: 92040906
Our File No.: 81133-11

03 JAN 31 PM 4:55
TRADING AND
COMMUNICATIONS

Dear Sir or Madam:

Enclosed in triplicate for filing in connection with the above-referenced matter is a First Stipulated Request to Extend Discovery Period and Reschedule Testimony Dates.

No fee is required in connection with the filing of the subject papers. However, should the PTO believe any fee is required, you are authorized to charge the Steinhart & Falconer Deposit Account No. 19-4215 (Our File No.: 81133-11).

Please date stamp and return the enclosed postcard indicating receipt of this transmittal.

Respectfully,

Rachel E. Matteo-Boehm

REB/nb
Enclosure