

TTAB



05-16-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #76

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In The Matter of Registration No. 2,526,171
Date of Issue: January 1, 2002

Blarney Castle Oil Co.,)
)
Petitioner,)
)
vs.)
)
Cadillac Coffee Company,)
(now Kmart of Michigan, Inc.))
)
Registrant.)

Cancellation No. 9204111Z

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UNITED STATES PATENT AND TRADEMARK OFFICE

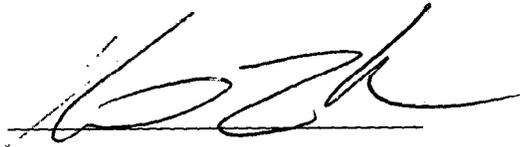
**STIPULATED MOTION FOR EXTENSION OF
DISCOVERY AND TESTIMONY PERIODS**

Pursuant to 37 CFR §2.121(d), Registrant, Cadillac Coffee Company (now Kmart of Michigan, Inc.), with the consent of Petitioner, Blarney Castle Oil Co., requests an extension of the discovery and testimony periods by sixty days. Pursuant to the grant of this Motion, the new dates would be as follows:

- | | |
|--|-------------------|
| Period for Discovery to Close | July 13, 2003 |
| Testimony Period for Party in Position of Plaintiff to Close (Opening 30 Days Prior Thereto) | October 11, 2003 |
| Testimony Period for Party in Position of Defendant to Close (Opening 30 Days Prior Thereto) | December 10, 2003 |
| Rebuttal Testimony Period to Close (Opening 15 Days Prior Thereto) | January 24, 2004 |

The extension is requested for the purpose of accommodating previously agreed to extensions between the parties, and so that a settlement of this matter can be explored by the parties.

Dated: May 14, 2003

By: 

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CERTIFICATE OF MAILING

This will certify that the foregoing STIPULATED MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS is being deposited with the United States Postal Service on May 14, 2003, via first class mail prepaid in an envelope addressed to BOX TTAB, Honorable Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.


Kathryn L. Nash

CERTIFICATE OF SERVICE

This will certify that the foregoing STIPULATED MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS is being deposited with the United States Postal Service on May 14, 2003, as first class mail, prepaid in an envelope addressed to R. Scott Keller, WARNER NORCROSS & JUDD LLP, 900 Fifth Third Center, 111 Lyon Street, N.E., Grand Rapids, MI 49503-2487.


Kathryn L. Nash