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

In the Matter of Registration No. 2,684,138: PAVERCAT
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC.,)	
)	
Petitioner,)	
v.)	Cancellation No. 92041776
)	
PAVE TECH, INC.,)	
)	
Registrant.)	

**CONSENTED MOTION TO
EXTEND DISCOVERY AND TESTIMONY PERIODS**

The parties are nearing the completion of discovery and within the last 30 days two depositions have been taken. One further deposition is scheduled in March and the parties are in the process of supplementing discovery. In order to complete this discovery, the parties request a thirty (30) day extension of the discovery and testimony periods as follows:

Discovery Period to close:	March 15, 2005
30-day testimony period for party in position of plaintiff to close:	June 13, 2005
30-day testimony period for party in position of defendant to close:	August 12, 2005
15-day rebuttal testimony period for plaintiff to close:	September 26, 2005

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, Virginia 22313-1451 on February 9, 2005.

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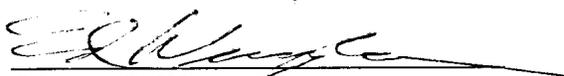
The parties respectfully submit that this constitutes good cause for the requested extension. Respondent's attorney, Rebecca Jo Bishop, consented to this extension on February 8, 2005.

Date: February 9, 2005

Respectfully submitted,

LOEB & LOEB LLP

By:



Edward G. Wierzbicki

Mary E. Innis

Nerissa Coyle McGinn

200 South Wacker Drive

Suite 3100

Chicago, Illinois 60606

Telephone: (312) 674-4780

Facsimile: (312) 674-4779

CERTIFICATE OF SERVICE

I, Michelle Shebesh, hereby certify that I caused a copy of the foregoing **CONSENTED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS** to Michael J. O'Loughlin, Micheal J. O'Loughlin & Associates, P.A., 400 South 4th Street, 1012 Grain Exchange Building, Minneapolis, Minnesota 55415 and Rebecca Jo Bishop, Altera Law Group LLC, 6500 City West Parkway, Suite 100, Minneapolis, MN 55344, via first class mail, postage prepaid this 9th day of February, 2005.

