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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
)	75904827
PAVE TECH, INC.,)	
)	
Registrant.)	

**STIPULATED MOTION FOR EXTENSION
OF TESTIMONY PERIODS**

In accordance with the Board's order of July 19, 2005, the parties have agreed to the scheduling of Petitioner's testimony depositions of Kurt Tisdale and J. Michael Hurst beginning on July 28, 2005, at 9:00 a.m., at Petitioner's office in Peoria, Illinois to continue from day to day until completed. Registrant will participate in the depositions by telephone. Because this is the last day of Petitioner's testimony period, the parties have agreed to extend the testimony periods by eight (8) days so that Petitioner's testimony period will now close on August 5, 2005. The parties also have agreed that Registrant's testimony period and Petitioner's rebuttal testimony period will be extended eight (8) days as well. The new stipulated testimony periods schedule is as follows:

30-day testimony period for party in
position of plaintiff to close: August 5, 2005

30-day testimony period for party in
position of defendant to close: October 4, 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 July 22, 2005.



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07-27-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #64

15-day rebuttal testimony period for
plaintiff to close:

November 18, 2005

Date: July 22, 2005

Respectfully submitted,

LOEB & LOEB LLP

By:



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CERTIFICATE OF SERVICE

I, hereby certify that I caused a copy of the foregoing **STIPULATED MOTION FOR EXTENSION OF TESTIMONY PERIODS** to Michael J. O'Loughlin, Esq., Michael J. O'Loughlin & Associates, P.A., 400 South 4th Street, 1012 Grain Exchange Building, Minneapolis, Minnesota 55415 and Rebecca Jo Bishop, Esq., Altera Law Group LLC, 6500 City West Parkway, Suite 100, Minneapolis, MN 55344, via first class mail, postage prepaid this 22nd day of July, 2005.

