

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

In the Matter of Registration No. 2,657,739
Registered December 19, 2002
Trademark ELLE BELLE

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Hachette Filipacchi Presse,	:	
	:	
	:	Cancellation No. 92042991
-v-	:	76004796
	:	
Elle Belle, LLC	:	
	:	
	:	Respondent.
-----	x	

CONSENTED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS

Petitioner Hachette Filipacchi Presse (“Petitioner”) and Respondent Elle Belle LLC (“Respondent”) have stipulated (1) to extend the time for Petitioner to respond to Respondent’s First Set of Interrogatories and First Request for Documents by 60 days from December 23, 2004 to February 21, 2005 and (2) to reschedule the deposition of Respondent’s partner, Parmjit Singh, or other person most knowledgeable under Fed. R. Civ. P. 30(b) (6) from January 20, 2005 to a mutually agreed upon time on or before March 1, 2005.

Accordingly, Petitioner hereby moves, with the consent of Respondent, that the discovery and trial periods be extended as follows:

	Current Date Pursuant to Parties November 16, 2004 Motion on Consent	Extended Date Consented to by Parties
Discovery Period to Close	February 14, 2005	April 15, 2005
30-day testimony period for party in position of plaintiff to close	May 16, 2005	July 14, 2005
30-day testimony period for party in position of defendant to close	July 15, 2005	September 12, 2005

15 -day rebuttal testimony to close	August 30, 2005	October 17, 2005
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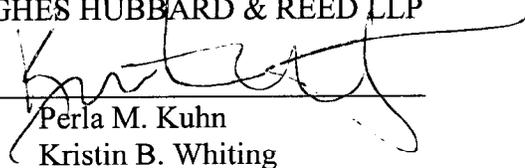
The reason for this request is to provide the parties with additional time to allow them to complete the discovery preparation in this matter. This motion is not being made for purposes of delay.

Respondent's counsel, Hui Ri Kim, consented to this request to extend discovery and testimony periods, as set forth above, by telephone on December 9, 2004 and by email dated December 10, 2004.

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By


Perla M. Kuhn
Kristin B. Whiting

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consented Motion to Extend Discovery and Testimony Periods is being served on December 10, 2004 first class mail in a postage prepaid envelope, addressed as follows:

Hui Ri Kim, Esq.
Balram Kakkar, Esq.
Kakkar & Kadish
261 Madison Avenue, 25th Fl.
New York, NY 10016

Dated: December 10, 2004
New York, New York


Christine Anderson

CERTIFICATE OF MAILING

I hereby certify that an original and two copies of the foregoing Consented Motion to Extend Discovery and Testimony Periods is being deposited with the United States Postal Service as overnight mail in a postage prepaid envelope addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, PO Box 1451, Alexandria, VA 22313-1451 on December 10, 2004.

Dated: December 10, 2004
New York, New York


Christine Anderson