

ESTTA Tracking number: **ESTTA26958**

Filing date: **02/28/2005**

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

<b>Proceeding</b>	92042991
<b>Party</b>	Plaintiff HACHETTE FILIPACCHI PRESSE HACHETTE FILIPACCHI PRESSE 149 RUE ANATOLE FRANCE FRX 92534 LEVALLOIS-PERRET CEDEX,
<b>Correspondence Address</b>	PERLA M. KUHN HUGHES HUBBARD AND REED LLP ONE BATTERY PARK PLAZA NEW YORK, NY 10004-1482
<b>Submission</b>	Motion to Extend
<b>Filer's Name</b>	Natasha N. Reed
<b>Filer's e-mail</b>	reed@hugheshubbard.com
<b>Signature</b>	/Natasha N. Reed/
<b>Date</b>	02/28/2005
<b>Attachments</b>	Third Motion To Extend.pdf ( 3 pages )

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,	:	
	:	
Petitioner,	:	Cancellation No. 92042991
	:	
-v-	:	
	:	
Elle Belle, LLC	:	
	:	
Respondent.	:	
-----	x	

THIRD CONSENTED MOTION TO EXTEND  
DISCOVERY AND TESTIMONY PERIODS

Petitioner Hachette Filipacchi Presse (“Petitioner”) and Respondent Elle Belle LLC (“Respondent”) have stipulated to (1) extend the time for Respondent to respond to Petitioner’s Second Set of Interrogatories and Second Request for Documents by two months to April 2, 2005; and (2) extend the time for Petitioner to respond to Respondent’s First Set of Interrogatories and First Request for Documents by two months to April 21, 2005. Petitioner, with the consent of Respondent, also hereby moves that the discovery and trial periods be extended by two months as follows:

	Current Date Pursuant to Parties December 10, 2004 Motion on Consent	Extended Date Consented to by Parties
Discovery Period to Close	April 15, 2005	June 15, 2005
30-day testimony period for party in position of plaintiff to close	July 14, 2005	September 14, 2005
30-day testimony period for party in position of defendant to close	September 12, 2005	November 12, 2005
15 –day rebuttal testimony to close	October 17, 2005	December 17, 2005

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 consented to this request to extend discovery and testimony periods as set forth above in the course of a telephone conversation with Perla Kuhn on or about February 11, 2005.

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By           /Natasha N. Reed/          

Perla M. Kuhn  
Kristin B. Whiting  
Natasha N. Reed

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Third Consented Motion to Extend Discovery and Testimony Periods is being served on February 28, 2005 by first class mail in a postage prepaid envelope, addressed as follows:

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

Dated: February 28 2005  
New York, New York

/Claudia Salzberg/  
Claudia Salzberg

CERTIFICATE OF ONLINE TRANSMISSION

I hereby certify that a copy of the foregoing Third Consented Motion to Extend Discovery and Testimony Periods is being transmitted online through the website of the United States Patent and Trademark Office on February 28, 2005.

Dated: February 28, 2005  
New York, New York

/Natasha N. Reed/  
Natasha N. Reed