

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

-----	x	
Hachette Filipacchi Presse,	:	
	:	
Petitioner,	:	Cancellation No. 92042991
	:	
-v-	:	
	:	
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 agreed to extend the time for Respondent to respond to discovery by 15 days from November 9, 2004 to November 23, 2004 and hereby move that the discovery and trial periods be extended as follows:

	Current Date Pursuant to the Board’s September 17, 2004 Order	Extended Date Consented to by Parties
Discovery Period to Close	November 20, 2004	January 15, 2005
30-day testimony period for party in position of plaintiff to close	February 18, 2005	April 15, 2005
30-day testimony period for party in position of defendant to close	April 19, 2005	June 14, 2005
15 –day rebuttal testimony to close	June 3, 2005	July 29, 2005

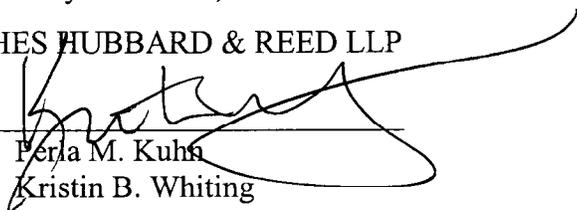
The reason for this request is to provide the parties with additional time to allow them to complete the discovery preparation in this matter. This motion is not being made for purposes of delay.

Respondent’s counsel, Hui Ri Kim, consented to this request to extend discovery and
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testimony periods as set forth above in the course of a telephone conversation with the undersigned on October 29, 2004 and by email dated November 3, 2004.

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By 

Perla M. Kuhn

Kristin B. Whiting

Attorneys for Petitioner

One Battery Park Plaza

New York, NY 10004-1482

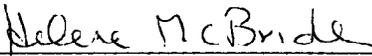
(212) 837-6000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consented Motion to Extend Discovery and Testimony Periods is being served on November 3, 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: November 3, 2004
New York, New York

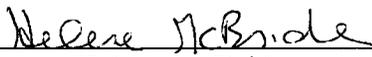


Helene McBride

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 November 3, 2004.

Dated: November 3, 2004
New York, New York



Helene McBride