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Filing date: **09/15/2008**

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

Proceeding	92046796
Party	Plaintiff eSpeed, Inc.
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Submission	Stipulated/Consent Motion to Extend
Filer's Name	Laura Miller
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Signature	/Laura Miller/
Date	09/15/2008
Attachments	ESPEEDIENT Consent Motion.pdf (4 pages)(13495 bytes)

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

BGC PARTNERS, INC. (consented motion to substitute pending),)	
)	
Petitioner,)	Cancellation No. 92046796
)	
vs.)	Mark: ESPEEDIENT SYSTEMS
)	
ESPEEDIENT SYSTEMS, LLC,)	
)	
Registrant.)	

CONSENTED MOTION TO EXTEND THE CLOSE OF
THE DISCOVERY AND TESTIMONY PERIODS

Petitioner BGC Partners, Inc. (“BGC”), pursuant to Fed. R. Civ. P. 6(b), for good cause shown, and with the consent of Registrant Espeedient Systems, LLC (“Espeedient”), hereby moves that the Board extend the close of the discovery and testimony periods in the above-captioned cancellation proceeding by thirty (30) days, and re-set such periods as follows:

Discovery period to close:	October 24, 2008
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto):	January 22, 2009
Testimony period for party in position of defendant to close (opening thirty days prior thereto):	March 23, 2009
Rebuttal testimony period to close (opening fifteen days prior thereto):	May 7, 2009

In support of this Motion, BGC shows the Board as follows:

1. On August 20, 2008, the Board granted the parties' consented motion to extend the close of the discovery and testimony periods in this cancellation proceeding and set the following deadlines for the discovery and testimony periods:

Discovery period to close: September 24, 2008

Testimony period for party in position of plaintiff to close (opening thirty days prior thereto): December 23, 2008

Testimony period for party in position of defendant to close (opening thirty days prior thereto): February 21, 2009

Rebuttal testimony period to close (opening fifteen days prior thereto): April 7, 2009

2. The parties are currently engaged in discovery and expect that they will be unable to complete discovery by the currently-scheduled close of the discovery period. An extension of the discovery period is therefore warranted to permit the parties to take and complete the discovery that they anticipate will be necessary in this proceeding.

3. Counsel for the parties had also been negotiating toward a resolution of this matter over the last several months. However, on September 11, 2008, Espeedient's counsel-of-record advised BGC's counsel that it intended to seek leave to withdraw from its representation of Espeedient in this matter. In light of this development, BGC's counsel proposed an extension of the discovery period. On September 12, 2008, Espeedient's

counsel consented to BGC's proposed extension, as requested herein. Counsel for the parties therefore mutually agree to extend the close of the discovery period to October 24, 2008, and to re-set the testimony periods as set forth above.

Dated: September 15, 2008

Respectfully submitted,

KILPATRICK STOCKTON LLP

/s/ William M. Bryner

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing CONSENTED MOTION TO EXTEND THE CLOSE OF THE DISCOVERY AND TESTIMONY PERIODS was served upon counsel for the Respondent by first class mail, addressed as follows:

Richard W. Young
Melissa S. Dillenbeck
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This the 15th day of September, 2008.

/s/ William M. Bryner
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