

ESTTA Tracking number: **ESTTA342184**

Filing date: **04/13/2010**

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

Proceeding	92050920
Party	Defendant Soni, Milena
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Date	04/13/2010
Attachments	Mtn4ExtTime2Resp2PetitionersMtnFinal_13APR10.pdf (5 pages)(36375 bytes)

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

In re Registration No.3,009,990

Trademark: ENTELLECT
Registered: November 1, 2005

INTELLECT TECHNICAL)	
SOLUTIONS, INC.)	
)	
Petitioner,)	CANCELLATION NO.: 92050920
v.)	
)	
MILENA SONI)	
)	
Respondent.)	
_____)	

**RESPONDENT'S MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO PETITIONER'S MOTION TO COMPEL**

I. INTRODUCTION

Petitioner Intellect Technical Solutions, Inc. ("PETITIONER") has filed a Motion to Compel production of certain documents that it had requested in its second set of requests for document production. Respondent Milena Soni ("RESPONDENT") hereby moves the Board for extension of time to respond to the Motion to Compel until April 30, 2010.

II. STATEMENT OF FACTS

PETITIONER took RESPONDENT's deposition on February 9, 2010 and served Petitioner's second set of discovery requests on RESPONDENT on February 11, 2010, including requests for additional document production. RESPONDENT timely served its responses to the discovery requests on PETITIONER.

On March 10, 2010, PETITIONER filed a motion to amend its Petition to Cancel. RESPONDENT filed an opposition to that motion on March 25, 2010.

Since the time RESPONDENT served its responses to Petitioner's second set of discovery requests, there have been ongoing communications between RESPONDENT and PETITIONER's counsel, wherein PETITIONER requested RESPONDENT to supplement its responses for certain of the discovery requests. RESPONDENT agreed to supplement its responses to avoid unnecessary motion practice. PETITIONER filed the present motion to compel the production of the documents at issue, nevertheless. PETITIONER's motion was served on RESPONDENT by First Class mail on March 26, 2010, to which the response is currently due April 15, 2010 under 37 C.F.R. § 2.127(a) and 37 C.F.R. § 2.119(c).

III. GOOD CAUSE EXISTS FOR AN EXTENSION TO FILE A RESPONSE TO PETITIONER'S MOTION TO COMPEL

Pursuant to Fed. R. Civ. P. 6(b), made applicable to Board proceedings by 37 CFR § 2.116(a), a party may file a motion for an enlargement of the time in which an act is required or allowed to be done prior to the expiration of the period as originally set or previously extended, and the moving party need only show good cause for the requested extension. TBMP 509.01. The requested extension is not necessitated by RESPONDENT's own lack of diligence or unreasonable delay. PETITIONER respectfully submits that the requisite good cause for an extension to respond exists in the current matter as follows.

RESPONDENT, Milena Soni, has been traveling and has been unavailable to counsel to prepare a response by April 15, 2009. Before leaving for her travel, RESPONDENT was been busy with other business matters that needed urgent attention of RESPONDENT. Consequently, RESPONDENT had no time to consider and respond to PETITIONER's Motion to Compel. See *Societa Per Azioni Chianti Ruffino Esportazione Vinicola Toscana v. Colli Spolentini Spoletoducale SCRL*, 59 USPQ2d 1383, 1383-84 (TTAB 2001) (the press of other litigation may constitute good cause to extend).

RESPONDENT would be prejudiced if an extension of time is not granted by the Board, because RESPONDENT would be deprived of the opportunity to adequately address the issues raised in PETITIONER's Motion to Compel. PETITIONER will not suffer any

prejudice from the extension other than a minor delay, which is not undue, in the proceedings that have been stayed by the Board.

IV. CONCLUSION

For the foregoing reasons, RESPONDENT respectfully requests the Board to grant an extension to file its response to PETITIONER's Motion to Compel until April 30, 2010.

Dated: April 13, 2010

By: /Surjit P. Soni/
Surjit P. Soni
Ronald E. Perez
Woo Soon Choe
Attorneys for RESPONDENT,
Milena Soni

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing document entitled **RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO PETITIONER'S MOTION TO COMPEL** was served upon the PETITIONER via facsimile transmission, email transmission and USPS First Class Mail on this 13th day of April 2010, as follows:

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