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

Proceeding	92051279
Party	Plaintiff Red Hen Bread LLC
Correspondence Address	Kathryn Jennison Shultz Jennison & Shultz, P.C. 2001 Jefferson Davis Highway, Suite 1102 Arlington, VA 22202 UNITED STATES kjs4jennisonlaw@aol.com
Submission	Motion to Extend
Filer's Name	Kathryn Jennison Shultz
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Signature	/Kathryn Jennison Shultz/
Date	04/05/2010
Attachments	petitioner's motion for extension RED HEN cancellation.pdf ( 2 pages )(68397 bytes )

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

Red Hen Bread LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92/051,279
	)	Reg. No. 3,614,763
Norm Oeding,	)	Mark: LITTLE RED HEN BAKERY
	)	
_____ <u>Registrant</u>	)	

PETITIONER’S REQUEST FOR 30 DAY EXTENSION  
OF DISCOVERY AND TRIAL DATES

Petitioner, Red Hen Bread LLC (hereafter “Petitioner”), hereby respectfully requests a thirty day extension of the times for discovery and trial dates. This request is timely because the period of discovery has not closed and is not being made for purpose of delay.

Petitioner has requested its counsel to file this extension request to provide him with time to review documents prepared for filing in connection with this proceeding, to confer with counsel and to make an informed decision on how he wishes to proceed. Petitioner has been confronted with numerous business matters, which have drawn his attention away from matters connected with this proceeding, as well as dealing with the high demand for his products especially during the holiday seasons.

In *American Vitamin Products Inc. v. Dow Brands Inc.*, 22 USPQ2D 1313, 1315 (TTAB 1992), the Board stated that “the Board is liberal in granting extensions of time before the period to act has elapsed, so long as the moving party has not been guilty of negligence or bad faith and the privilege of extension is not abused.”

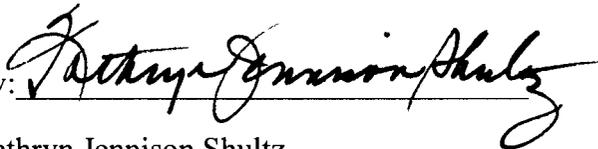
It is petitioner's position that the registrant will not be harmed or prejudiced by the granting of the subject short extension request. The petitioner has not been guilty of negligence or bad faith. This is the petitioner's first request for extension of any dates. It is noted that registrant, to date, has not served petitioner with its initial disclosures and was very uncooperative during a discovery conference telephone call initiated by petitioner's counsel.

Petitioner respectfully asks the Board to grant this request for extension of time. Petitioner firmly believes that it has met the standard of good cause necessary to obtain approval of this extension.

Respectfully submitted,

RED HEN BREAD LLC

Date: April 5, 2010

By: 

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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that true and complete copy of the foregoing PETITIONER'S REQUEST FOR 30 DAY EXTENSION OF DISCOVERY AND TRIAL DATES was served upon Registrant, by forwarding same via First Class Mail, postage prepaid, to Norm Oeding, 15076 NW 180<sup>TH</sup> Street, Newton, Kansas 67114, this 5th day of April, 2010.

  
Kathryn Jennison Shultz