

ESTTA Tracking number: **ESTTA463892**

Filing date: **03/27/2012**

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

Proceeding	92053911
Party	Defendant Ovation, Inc.
Correspondence Address	PAIGE W MILLS BASS BERRY & SIMS PLC 150 3RD AVENUE SOUTH, SUITE 2800 NASHVILLE, TN 37201 UNITED STATES pmills@bassberry.com
Submission	Motion to Extend
Filer's Name	Paige Mills
Filer's e-mail	pmills@bassberry.com
Signature	/paige mills/
Date	03/27/2012
Attachments	2 ovation motion use this one.pdf (3 pages)(85228 bytes)

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

**In the matter of Trademark Registration Nos. 3,755,679, 3,755,678 and 3,670,163 Ovation
LLC, a Delaware Limited Liability)**

Company,)

Petitioner,)

**REGISTRANT'S MOTION FOR
EXTENSION OF DEADLINES**

v.)

Ovation, Inc., a Tennessee Corporation,)

Cancellation No. 92053911

Registrant.)

REGISTRANT'S MOTION TO EXTEND REMAINING DEADLINES

COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313

The Registrant, Ovation, Inc. respectfully requests that the remaining deadlines in this matter be extended by sixty (60) days. Registrant makes this request on the basis that the associate attorney who has been working on this matter with undersigned counsel left for another position less than two weeks ago. Undersigned counsel needs the additional time to prepare this matter for trial in her absence, given her integral involvement in the matter thus far. In addition, Registrant would state that it served Plaintiff with written discovery on March 16, 2012, and has not yet received Plaintiff's responses because answers are not due until mid-April. Registrant would like the benefit of Plaintiff's responses to discovery in order to inform its analysis of Plaintiff's expert report to determine if it is necessary for Registrant to engage a rebuttal expert. In view of the foregoing, Registrant asks that all remaining deadlines be extended by 60 days. Thus, Registrant requests that the Board issue an order extending the deadline for expert disclosures as well as all remaining deadlines in this case. Specifically, Registrant asks that the schedule be amended as follows:

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of March, 2012, I caused to be served a true and correct copy of the foregoing by the method by regular mail and email, addressed as follows:

Wendy Mantell, Esq.
Greenberg Traurig LLP
2450 Colorado Avenue
Suite 400E
Santa Monica, CA 90405
mantellw@gtlaw.com

Elise Tenen-Aoki, Esq.
Kacvinsky Daisak PLLC
14271 Jeffrey Road, Suite 313
Irvine, CA 92620
etenenaoki@kdfirm.com



Paige W. Mills, Esq.
Bass, Berry & Sims PLC