

ESTTA Tracking number: **ESTTA436652**

Filing date: **10/19/2011**

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

Proceeding	92054241
Party	Defendant Hong Kong City Toys Factory Limited
Correspondence Address	PATRICIA L WERNER ESQ BRYAN CAVE LLP 1290 AVENUE OF THE AMERICAS NEW YORK, NY 10104 UNITED STATES Patricia.Werner@bryancave.com,bonnie.lee@bryancave.com
Submission	Stipulated/Consent Motion to Reopen
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Date	10/19/2011
Attachments	HK City Toys Motion to Reopen.pdf (4 pages)(27616 bytes)

On September 22, 2011, the parties agreed to extend all discovery deadlines. Petitioner's attorney offered and proceeded to file the extension with the Board. Respondent's attorney was under the belief that the extension would also extend the time to respond to Petitioner's motion to strike. On the same day, the motion for an extension of discovery periods was granted by the Board.

On October 7, 2011, Respondent received the order granting Petitioner's motion to strike, realizing for the first time that the motion for an extension of discovery periods did not also extend the time to respond to the motion to strike.

On October 10, 2011, Respondent contacted Petitioner and asked for consent to reopen the time to respond to the motion to strike. Petitioner provided such consent as requested.

Petitioner and Respondent hereby stipulate and move the Board to reopen the time to respond to Petitioner's motion to strike, and extend the deadline to respond to the motion until December 2, 2011, while the parties attempt to reach a settlement agreement.

The foregoing request is not being filed for the purpose of mere delay of proceedings, and favorable consideration of this request is respectfully solicited.

Respectfully submitted,



Patricia L. Werner
Counsel for Respondent
Bryan Cave LLP
1290 Avenue of the Americas

Dated: October 19, 2011

New York, NY 10104
(212) 541-2341

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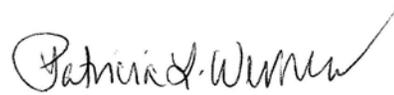
In the Matter of U.S. Trademark Registration No. 1,918,153

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RETAIL BRAND ALLIANCE, INC.,)
) Cancellation No. 92,054,241
Petitioner,)
) U.S. Trademark Registration No. 1,918,153
v.)
) Date of Issue: September 12, 1995
HONG KONG CITY TOYS FACTORY LIMITED,)
) Mark: BROOKE
Respondent.)
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United States Patent & Trademark Office
Trademark Trial & Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the document entitled "**RESPONDENT'S MOTION ON CONSENT TO REOPEN TIME TO RESPOND TO PETITIONER'S MOTION TO STRIKE**" was served on Neil B. Friedman, Esq., Baker and Rannels, PA, 575 Route 28, Suite 102, Raritan, NJ 08869, located at the e-mail address n.friedman@br-tmlaw.com on October 19, 2011.



Dated: October 19, 2011

Patricia L. Werner, Esq.