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Filing date: **09/04/2012**

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

Proceeding	92054980
Party	Plaintiff Andoni, Inc.
Correspondence Address	WALTER KUBITZ LITMAN LAW OFFICES LTD 8955 CENTER STREET MANASSAS, VA 20110 UNITED STATES efile@4patent.com
Submission	Motion to Extend
Filer's Name	Walter Kubitz
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Signature	/Walter Kubitz/
Date	09/04/2012
Attachments	ext-32395-02.pdf (3 pages)(54732 bytes)

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

ANDONI, INC.)
)
 Petitioner)
)
 v.) Cancellation No. 92/054,980
)
 PAISANOS PASTA, LLC)
)
 Registrant)

**PETITIONER'S FIRST MOTION FOR EXTENSION OF DISCOVERY
AND TESTIMONY PERIODS**

COMES NOW Petitioner, ANDONI, INC., by counsel, and hereby moves that all proceedings in the above captioned cancellation be extended for a period of thirty (30) days, as follows:

THE PERIOD FOR DISCOVERY TO CLOSE	October 4, 2012
Plaintiff's Pretrial Disclosures	November 18, 2012
Plaintiff's 30-day Trial Period Ends	January 2, 2013
Defendant's Pretrial Disclosures	January 17, 2013
Defendant's 30-day Trial Period Ends	March 3, 2013
Plaintiff's Rebuttal Disclosures	March 18, 2013
Plaintiff's 15-day Rebuttal Period Ends	April 17, 2013

In support of this motion Petitioner states its good cause for needing the requested extension as follows:

1. On December 29, 2011 the Board issued its first scheduling order in this case, as part of which it set today, September 4, 2012, for discovery to close.

2. On June 29, 2012 Registrant served on Petitioner a first set of interrogatories and a first request for production of documents.

3. On July 13, 2012 Petitioner served on Registrant a first set of interrogatories and a first request for production of documents.

4. The parties mutually agreed on extensions of their respective times to answer the foregoing, while at the same time discussing the possibility of settling the proceeding herein.

5. On August 22, 2012 Petitioner sent Registrant a first proposed Settlement Agreement for review. Meanwhile, Petitioner's August 24, 2012 deadline for responding to Registrant's above discovery passed.

6. On August 30, 2012 and after discussion with Registrant, Petitioner sent Registrant a revised Settlement Agreement proposal.

7. Today, September 4, 2012 Registrant sent Petitioner some suggested revisions to Petitioner's said August 30 Settlement Agreement proposal.

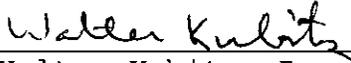
8. The parties are fairly close to concluding a settlement but need more time to work through some remaining details.

9. Meanwhile, Registrant itself has expressed unwillingness to consent to the presently requested extension.

10. As above set forth, this extension is requested in order to facilitate further discovery and a pending settlement and not for purposes of delay.

Respectfully requested,

Date: September 4, 2012.

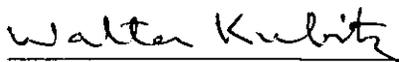


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Counsel for Petitioner ANDONI, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of September, 2012, this office mailed, by first class mail, postage prepaid, a true and accurate copy of the foregoing PETITIONER'S FIRST MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS to Bradley J. Levang, Esq., THE LAW OFFICES OF ANDREW D. FORTNEY, PH.D., P.C., 1725 N. Fine Ave., Suite 101, Fresno, California 93727, counsel for Registrant PAISANOS PASTA, LLC, and e-mailed a copy of same to Bradley.levang@fortneylaw.com.

Date: September 4, 2012.



Walter Kubitz, Esq.