

ESTTA Tracking number: **ESTTA542709**

Filing date: **06/10/2013**

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

Proceeding	92057122
Party	Defendant New Whey Nutrition, LLC
Correspondence Address	NEW WHEY NUTRITION LLC 5707 DOT COM COURT, SUITE 1079 OVIDO, FL 32765-3401 UNITED STATES
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Peter M. Brody
Filer's e-mail	trademarks@ropesgray.com
Signature	/p brody/
Date	06/10/2013
Attachments	20130610_106812_EOT_Pleading.pdf(360066 bytes)

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

NEWAYS, INC.,)	
)	
Petitioner,)	Cancellation No. 92057122
)	
v.)	
)	
NEW WHEY NUTRITION, LLC, F/K/A)	
TOPSPIN-IDS ACQUISITION, LLC,)	
)	
Respondent.)	

MOTION ON CONSENT TO EXTEND DEADLINE TO ANSWER

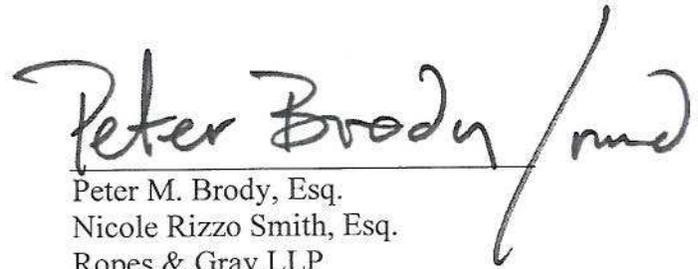
Pursuant to Trademark Rule of Practice 2.120(a) (37 C.F.R. § 2.120(a)), and TBMP 310.03(c), Respondent New Whey Nutrition, LLC, f/k/a Topspin-IDS Acquisition, LLC (“Respondent”), with the express consent of Neways, Inc. (“Petitioner”), respectfully moves for an order extending the scheduled deadline to Answer in the above-captioned case for an additional two (2) days.

This extension is necessary because Respondent needs additional time to prepare the pleading. This motion is made in good faith, and not for the purpose of unnecessary delay, and will not prejudice either party.

The proposed new deadline to Answer is: June 12, 2013.

On June 10th, 2013, Petitioner's counsel, Thomas R. Vuksinick, consented to the filing of this motion and the relief requested. A certificate of service to Petitioner's counsel is attached to this motion.

Respectfully submitted,

A handwritten signature in black ink that reads "Peter Brody / rmd". The signature is written in a cursive style and is positioned above the typed name and address.

Dated: June 10, 2013

Peter M. Brody, Esq.
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Attorneys for Opposer,
Westwood Global Investments LLC

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

NEWAYS, INC.,

Petitioner,

v.

NEW WHEY NUTRITION, LLC, F/K/A
TOPSPIN-IDS ACQUISITION, LLC,

Respondent.

Cancellation No. 92057122

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of June, 2013, a true and correct copy of the foregoing Motion on Consent to Extend Deadlines was served on Applicant's counsel by first class mail, postage prepaid, addressed as follows:

Thomas R. Vuksinick
Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111



Ronald M. Duvernay
ROPES & GRAY LLP