

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB NO FEE , 2900 Crystal Drive, Arlington, VA, 22202-3513 on March 20, 2002.

By _____ *S. Kopacz* _____ Sandra L. Kopacz

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



RUTLAND FIRE CLAY COMPANY,
d/b/a RUTLAND PRODUCTS,

Opposer,

v.

JOSEPH ENTERPRISES,

Applicant.

)
)
)
) Opposition No.: 91123898
) Appl. Ser. No.: 76/071,935
) Mark: CHIMNEY SWEEPING LOG
)
) STIPULATED MOTION FOR
) EXTENSION OF TIME FOR OPPOSER
) TO RESPOND OR OBJECT TO
) APPLICANT'S DISCOVERY REQUESTS,
) FOR EXTENSION OF THE DISCOVERY
) PERIOD, AND TO RESET DISCOVERY
) AND TESTIMONY PERIODS

03-22-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

Assistant Commissioner for Trademarks
Box TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

Opposer RUTLAND FIRE CLAY COMPANY, d/b/a RUTLAND PRODUCTS ("Opposer") respectfully moves the Trademark Trial and Appeal Board to extend the time for Opposer to respond or object to Applicant JOSEPH ENTERPRISES' ("Applicant") First Set of Interrogatories to Opposer and First Set of Request for the Production of Documents (hereinafter collectively referred to as "Discovery Requests") for a period of fourteen (14) days, to extend the

time for discovery. Applicant's counsel, Elizabeth Gosse, consented to these extensions of time in a telephone conference on March 19, 2002, with the undersigned.

The parties request that the Trademark Trial and Appeal Board maintain the present discovery and testimony periods, which are:

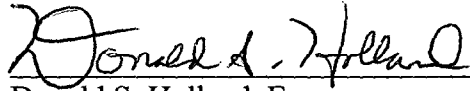
THE PERIOD FOR DISCOVERY TO CLOSE:	May 19, 2002
30-day testimony period for party in position of plaintiff to close:	August 17, 2002
30-day testimony period for party in position of defendant to close:	October 16, 2002
15-day rebuttal testimony for plaintiff to close:	November 30, 2002

The additional time requested is necessary to allow Opposer to prepare appropriate responses to Applicant's Discovery Requests.

Accordingly, Opposer requests that this stipulated motion be granted and that the period for Opposer to respond or object to Applicant's Discovery Requests be extended an additional fourteen (14) days, until April 7, 2002, with discovery and testimony periods maintained as specified above.

Copies of this request are being filed in triplicate, with a copy being mailed first class to Applicant's counsel of record as indicated on the Certificate of Service attached.

Respectfully submitted,

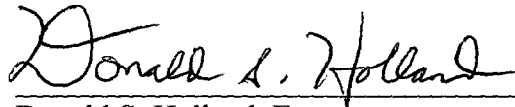


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(413) 567-2076

Date: 3/20/02

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Stipulated Motion for Extension of Time for Opposer to Respond or Object to Applicant's Discovery Requests, for Extension of the Discovery Period, and to Reset Discovery and Testimony Periods has been served upon Applicant by mailing postage prepaid via first class, this twentieth day of March, 2002, to Applicant's counsel, Paul W. Vapnek, Townsend & Townsend & Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834.



Donald S. Holland, Esq.

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