

TTAB



09-05-2002

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

THE WILLIAM CARTER COMPANY)	
)	
Opposer,)	Opposition No. 124,083
)	
vs.)	Mark: WATCH THE WEAR
)	 BY H.W. CARTER
H.W. CARTER & SONS, INC.)	
)	Serial No. 75/848,306
)	
Applicant.)	

TRADEMARK TRIAL AND
APPEAL BOARD
02 SEP 11 AM 12:52

STIPULATED MOTION TO EXTEND TRIAL TESTIMONY PERIOD

Assistant Commissioner of Trademarks
ATTN: BOX TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Pursuant to 37 CFR § 2.121, the above named parties, by their respective counsel, hereby request an extension of the time for taking testimony in Opposition No. 124,083. The parties seek to extend the closing date of each testimony period by two months.

This extension request is not for purposes of delay. Rather, the parties request this extension because the parties are in the process of discussing settlement possibilities for this Opposition. Counsel for Applicant, Charles H. Knull, Esq. stipulated to this extension in a letter on July 26, 2002.

If granted, the extended schedule for the remainder of the testimony period would be as set forth below:

Testimony period for party in position of plaintiff to close: November 26, 2002

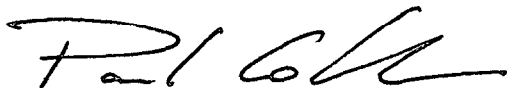
Testimony period for party in position of defendant to close: January 27, 2002

Rebuttal testimony period to close: March 13, 2002

It is respectfully requested that the instant stipulated extension be granted.

Date: 9/5/02

Respectfully submitted,



Neil S. Hirshman (Reg. No. 36,829)

Mary E. Zaug

Paul D. Collier

KIRKLAND & ELLIS

200 East Randolph Drive

Chicago, Illinois 60601

(312) 861-2000

Attorneys for Opposer

The William Carter Company

CERTIFICATE OF SERVICE

I hereby certify that a true copy of STIPULATED MOTION TO EXTEND TRIAL TESTIMONY PERIOD was served by United States Postal Service, Express Mail service, label number EVO85715155US on September 5th, 2002 on Applicant's attorney at:

Charles H. Knull, Esq.
Gail E. Nickols, Esq.
GRAHAM CAMPAIGN P.C.
36 W. 44th St.
New York, NY 10036



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*Attorneys for Opposer
The William Carter Company*

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the documents identified on these papers as Stipulated Motion to Extend Trial Testimony Period in Opposition No. 124,083 are being deposited with the United States Postal Service "Express Mail to Addressee" service, label no. EV085715164US under 37 C.F.R. 1.10 on the date indicated and is addressed to the Assistant Commissioner of Trademarks, ATTN: BOX TTAB NO FEE, on the 5th day of September, 2002.

Name: Paul Collier

Signature:

