

TTAB

7/3869-140

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

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The B. Manischewitz Company, LLC :
:
Opposer, :
:
v. :
:
Seaforth Creamery, Inc. :
:
Applicant, :
:
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Opposition No. 91150421

Serial No.: 76/099,990



08-01-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #61

MOTION FOR EXTENSION OF TIME OF THE DISCOVERY PERIOD

Based upon the annexed affidavit of Martin J. Beran, opposer respectfully requests an Extension of Time for the completion of discovery with all subsequent times being reset accordingly.

A copy of this Motion has been forwarded by first class mail postage prepaid to George R. McGuire attorney for applicant, Hancock & Estabrook, LLP, 1500 Mony Tower I, P.O. Box 4976, Syracuse, New York 13221.

TRADEMARK TRIAL AND APPEAL BOARD
02 AUG -6 11 12 12

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on July 29, 2002

Martin J. Beran

Name of applicant, assignee or Registered Representative

Signature

July 29, 2002

Date of Signature

Respectfully submitted,

Martin J. Beran
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

MJB:nb

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	:	
Applicant,	:	
	:	
-----X		



State of New York,
County of New York,

AFFIDAVIT

Martin J. Beran, being duly sworn, deposes and states as follows.

I am a member of the bar of the state of New York and I am Trademark Counsel in the firm of Ostrolenk, Faber, Gerb & Soffen, LLP, attorneys for opposer herein.

The parties have diligently pursued discovery in this proceeding with each party having served interrogatories and document requests upon the other and each party having received responses with respect thereto.

In connection with each set of discovery requests certain information has been withheld by each party pending the issuance of a suitable Protective Order. The parties have agreed to the form of such Protective Order which is being finalized and will be forwarded to The Trademark Trial and Appeal Board shortly for approval.

Opposer, with the consent of applicant, respectfully requests an Extension of Time of two months of the discovery period from the time of approval by the Board of the Protective Order if, in fact, the Protective Order is deemed acceptable to the Board. This will afford the parties sufficient time within which to complete their response to the discovery requests and take any further discovery should this be necessary.

The present deadline for completing discovery is August 2, 2002. If this motion is granted, it is understood that the testimony periods would be recalculated on the basis of the new deadline for completing discovery.

This request is not interposed for purposes of delay but rather in order to facilitate the orderly completion of discovery by the parties.

Sworn to before me:

this 29th day of July, 2002
MARY G. FONTENOT
Notary Public, State of New York
No. 31-5046328
Qualified in New York County
Commission Expires September 3, 2003



Notary Public

