

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

AMERICAN COUNCIL ON EXERCISE)

Petitioner,)

v.)

ROSS, SHERWIN "ACE")

Respondent.)

Opposition No.: 91150752

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**FOURTH STIPULATED MOTION WITH CONSENT TO EXTEND DISCOVERY
AND TRIAL PERIODS**

Petitioner, American Council on Exercise, requests a fourth extension of the discovery and trial periods as follows:

Respondent Sherwin "ACE" Ross' attorney, Alan Cyrlin, consented to this request on March 25, 2003.

The parties have agreed to this extension to allow additional time to discuss the settlement of this matter.

Petitioner's counsel and Respondent's counsel have also agreed to an extension of all discovery, testimony and trial deadlines as follows:

Discovery period to close: August 13, 2003

30-day testimony period for party
in position of plaintiff to close: November 11, 2003

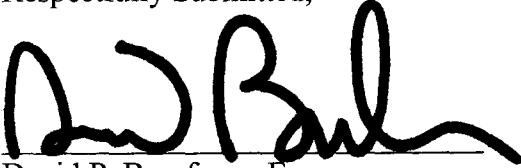
30-day testimony period for party
in position of defendant to close:

January 10, 2004

15-day rebuttal period for party in
position of plaintiff to close:

February 24, 2004

Respectfully Submitted,




Dated: 4-1-03

David P. Branfman, Esq.
Branfman & Associates
12750 High Bluff Drive, Suite 100
San Diego, CA 92109
Phone: 858-481-5800
Fax: 858-481-3709
Attorney for American Council on Exercise


CERTIFICATE OF MAILING

I hereby certify that this Fourth Stipulated Motion With Consent to Extend Discovery and Trial Periods is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box TTAB, NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on April 1, 2003.


Eric E. Beener

PROOF OF SERVICE

The undersigned certifies that a copy of the Fourth Stipulated Motion With Consent to Extend Discovery and Trial Periods was served upon the attorney of record for Sherwin "ACE" Ross by depositing a copy of the same with the United States Postal Service as first class mail, postage prepaid, addressed to Alan Cyrlin, Wasserman, Comden, Casselman & Pearson, LLP, 5567 Reseda Blvd., Tarzana, CA 91357-7033 on April 1, 2003.


Eric E. Beener
Paralegal

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TTAB

April 1, 2003

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dear Sir/Madam:

Transmitted herewith for filing are three Stipulated Requests for Extension of Time to File an Opposition and one Stipulated Motion with Consent to Extend Discovery and Trial Period applications applied for by Sherwin "ACE" Ross for the registrations of:

Serial No.: 76/218,246
Mark ACE'S UNDIES

Serial No.: 76/218,244
Mark: ACE'S KIDS

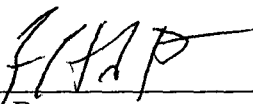
Serial No.: 76/339,612
Mark AMERICAN CLOTHING ENTERPRISES A.C.E. APPAREL
FOR THE FREE

Opposition No.: 91150752

Enclosed also are:

[x] Four stamped self-addressed postcards. Please return the postcards to acknowledge receipt of these applications.

Sincerely,



Eric Beener
Paralegal
Branfman & Associates

Enclosures: