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

_____		)	
		)	
EMHART LLC and		)	
KWIKSET CORPORATION,		)	
Opposer,		)	Opposition No. 91,152,635
		)	Serial No. 78/082,405
v.		)	
		)	
KEE KLAMP LIMITED,		)	
		)	
Applicant.		)	
_____		)	

**APPLICANT’S MOTION ON CONSENT TO EXTEND ITS TIME TO  
FILE AN ANSWER TO THE NOTICE OF OPPOSITION AND TO  
EXTEND DISCOVERY AND SUBSEQUENT PERIODS**

Applicant, Kee Klamp Limited (“Applicant”), pursuant to TBMP § 509.01, respectfully requests that the period to file an Answer to the above-captioned Opposition be extended by thirty (30) days, up to and including **February 25, 2004**. The Applicant and Opposer desire further time to confer about the possibility of a resolution to any potential dispute.

The Applicant further requests that the discovery period be extended by thirty (30) days up to and including **March 28, 2004**, and that all subsequent periods be reset accordingly.

Opposer, Emhart LLC and Kwikset Corporation, through its counsel William G. Pecau, Esq., has consented to this extension of time to file an answer to the Notice of Opposition, and to extend the trial calendar, in an e-mail correspondence to the undersigned attorney for Applicant on January 23, 2004.

The trial calendar is thus as follows:

Discovery period to close:	March 28, 2004
30-day testimony period for party in position of plaintiff to close:	June 26, 2004
30-day testimony period for party in position of defendant to close :	August 25, 2004
Rebuttal testimony period to close (opening fifteen days prior thereto):	September 30, 2004

Briefs on final hearing shall become due as provided in Trademark Rule 2.128.

It is respectfully moved that the periods be reset as indicated above with the concurrence of the Trademark Trial and Appeal Board. This Motion has been filed in triplicate.

Respectfully submitted  
for Applicant,

By: Shannon Goring  
For: Jess M. Collen Shannon Goring

JMC:pm  
Enclosures: - Duplicate copies of motion  
- Certificate of Service

Dated: January 23, 2004

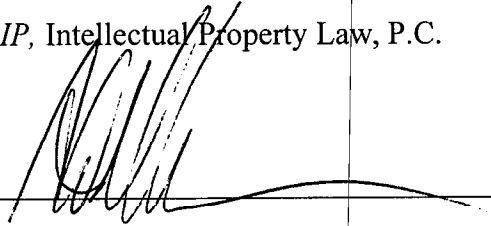
**COLLEN *IP***  
**THE HOLYOKE-MANHATTAN BUILDING**  
**80 SOUTH HIGHLAND AVENUE**  
**OSSINING, NEW YORK 10562**

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202.

COLLEN *IP*, Intellectual Property Law, P.C.

BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'M. J. ...', written over a horizontal line.

DATE: January 23, 2004

80825.9

**CERTIFICATE OF SERVICE**

I, Peter Mulhern, hereby certify that I caused a true copy of Applicant's Motion On Consent To Extend Its Time To File An Answer To The Notice Of Opposition And To Extend Discovery And Subsequent Periods to be served upon the following attorney of record via First Class U.S. Mail, postage pre-paid, as well as via facsimile:

William G. Pecau, Esq.  
Steptoe & Johnson, LLP  
1313 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
Fax: 202-429-3902

Said service having taken place this 23rd day of January, 2004.

  
\_\_\_\_\_  
Peter Mulhern