

ESTTA Tracking number: **ESTTA72607**

Filing date: **03/24/2006**

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

Proceeding	91152749
Party	Defendant MAX PLANCK GESELLSCHAFT ZUR FORDERUNG DE HOFGARTENSTRASSE 8 DEX MUNICH, 80539
Correspondence Address	LOUIS K. EBLING FROST BROWN TODD LLC 201 EAST FIFTH ST, 2200 PNC Ctr Cincinnati, OH 45202
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Mary R. True
Filer's e-mail	mtrue@fbtlaw.com, squimby@fbtlaw.com
Signature	/mary r true/
Date	03/24/2006
Attachments	Consented Motion To File - Max Planck.pdf (3 pages)

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

IN THE MATTER OF:

TRADEMARK APPLICATION NO. 76/163,965 – MISC. DESIGN

DATE OF PUBLICATION: June 4, 2002

University of Louisville,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91152749
)	
Max Planck Gesellschaft zur Forderung der Wissenschaften e.V.)	
)	
Applicant.)	
)	

**CONSENTED MOTION TO EXTEND AND RESET CLOSE OF BOTH DISCOVERY
AND
TESTIMONY PERIODS FOR A PERIOD OF SIXTY (60) DAYS**

NOW COMES **Max Planck Gesellschaft zur Forderung der Wissenschaften e.V.**

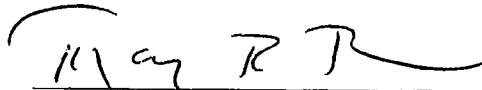
(“Max Planck”), through its attorney, and with the consent of **University of Louisville**, through its attorney, and hereby jointly move that the above proceeding be Extended and that the Close of Discovery and all Testimony Periods be extended for a period of sixty (60) days, as follows:

The Period for Discovery to Close:	June 10, 2006
30-day testimony period for party in position of plaintiff to close:	September 9, 2006
30-day testimony period for party in position of defendant to close:	November 7, 2006
15-day rebuttal testimony period to close:	December 22, 2006

The reason for this request is that the principals on both sides are continuing settlement negotiations with the hope of a settlement. Applicant's counsel received Opposer's counsel's consent via e-mail on March 22, 2006 and Opposer's counsel stated that he agreed to and joins in this Consented Motion.

Dated: March 23, 2006

Respectfully submitted,

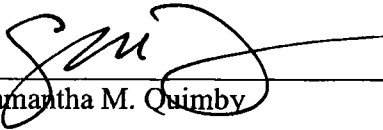
A handwritten signature in black ink, appearing to read "Mary R. True", written over a horizontal line.

Mary R. True
FROST BROWN TODD LLC
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201 East Fifth Street
Cincinnati, Ohio 45202
Telephone: (513) 651-6800
Facsimile: (513) 651-6981

Attorneys for Applicant
MAX PLANCK

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consented Motion to Extend and Reset Close of Both Discovery and Testimony Periods was served by first class mail, postage prepaid, on Jack A. Wheat, Esq. c/o Stites & Harbison, PLLC, 400 West Market Street, Suite 1800, Louisville, Kentucky, 40202 by regular first class U.S. mail, postage prepaid, this 24th day of March, 2006.


Samantha M. Quimby