



06-18-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

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

-----X	:		
HEALTH VALLEY COMPANY	:	Opposition No.:	91153648
	:		
Opposer,	:		
	:		
-against-	:	Mark:	CABSHA
	:		
	:		
ARCOR S.A.I.C.	:		
	:		
Applicant.	:		
-----X	:		

**JOINT MOTION
FOR EXTENSION OF DISCOVERY AND TRIAL DATES**

Opposer and Applicant, hereby move that the discovery and trial dates set forth in the Board's December 2, 2002 Discovery and Trial Schedule be further extended for a period of sixty (60) days, as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	August 19, 2003
Testimony period for party in position of plaintiff to close: (opening 30 days prior thereto)	November 17, 2003
Testimony period for party in position of defendant to close: (opening 30 days prior thereto)	January 16, 2004
Rebuttal testimony period to close: (opening 15 days prior thereto)	March 1, 2004

The additional time is needed to complete discovery and pursue settlement discussions, if warranted, and is not requested for purposes of delay.

Applicant Arcor S.A.I.C., through its counsel Kristin B. Whiting of Hughes Hubbard & Reed LLP, consented to this motion in a telephone conference with Opposer's counsel on June 18, 2003.

Dated: June 18, 2003

McCARTER & ENGLISH, LLP

By:



Robert W. Smith
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444

Attorneys for Opposer,
HEALTH VALLEY COMPANY

Express Mail Certification

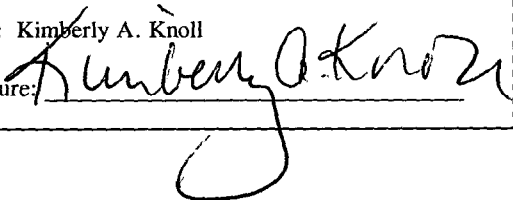
"Express Mail" label No. EV 24713569 US

Date of Deposit: June 18, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

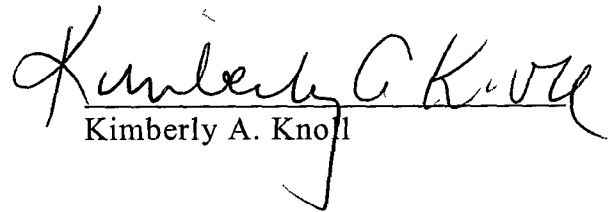
Name: Kimberly A. Knoll

Signature:



CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing JOINT MOTION FOR EXTENSION OF DISCOVERY AND TRIAL DATES was served on the Applicant, Arcor S.A.I.C., addressed to Kristin B. Whiting, Attorney for Applicant, Hughes Hubbard & Reed LLP, One Battery Park Plaza, New York, NY 10004-1482, by first class mail, postage prepaid on the 18th day of June, 2003.


Kimberly A. Knoll

TTAB

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TRADEMARK
ATTORNEY

06-18-2003

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June 18, 2003

VIA EXPRESS MAIL

Re: Health Valley Company v. Arcor S.A.I.C.
Opposition No. 91153648

Box TTAB - No Fee
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Sir or Madam:

We enclose for filing an original and two (2) copies of a Joint Motion for Extension of Discovery and Trial Dates regarding the above opposition.

Please indicate receipt of this Motion by stamping the enclosed pre-paid postage postcard, and return it to us.

Very truly yours,

Robert W. Smith

RWS:kk

Enclosures

cc: Kristin B. Whiting, Esq. (Via Regular Mail) (w/ enclosures)