

TTAB

BOX: TTAB
Attorney Docket No. 38170.0192
Express Mail No. EL955833493US

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

SOLARAY, INC.)	
)	
Opposer,)	Opposition No. 91156027
)	
v.)	Serial No. 76/435,646
)	
EURO PHARMA, INC.,)	Published March 4, 2003
)	
Applicant.)	



11-03-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

**MOTION FOR EXTENSION OF
DISCOVERY PERIOD AND TESTIMONY PERIODS**

Opposer, Solaray, Inc., respectfully moves for a thirty (30) day extension of the discovery and testimony periods. Good cause supports this Motion because additional time is necessary to allow the parties to pursue settlement discussions. Opposer therefore respectfully moves for the proposed extension with the following closure dates:

- | | |
|---|------------------|
| Discovery Period To Close: | December 4, 2003 |
| Testimony period ² for party in position of plaintiff to close (opening thirty days prior thereto) | March 3, 2004 |
| Testimony period for party in position of defendant to close (opening thirty days prior thereto) | May 2, 2004 |
| Rebuttal testimony period to close (opening fifteen days prior thereto) | June 16, 2004 |

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

SOLARAY, INC.)	
)	
Opposer,)	Opposition No. 91156027
)	
v.)	Serial No. 76/435,646
)	
EURO PHARMA, INC.,)	Published March 4, 2003
)	
Applicant.)	



11-03-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

**MOTION FOR EXTENSION OF
DISCOVERY PERIOD AND TESTIMONY PERIODS**

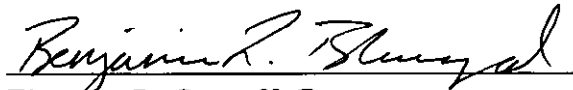
Opposer, Solaray, Inc., respectfully moves for a thirty (30) day extension of the discovery and testimony periods. Good cause supports this Motion because additional time is necessary to allow the parties to continue settlement discussions. Opposer therefore respectfully moves for the proposed extension with the following closure dates:

Discovery Period To Close:	December 4, 2003
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	March 3, 2004
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	May 2, 2004
Rebuttal testimony period to close (opening fifteen days prior thereto)	June 16, 2004

BOX: TTAB
Attorney Docket No. 38170.0192
Express Mail No. EL955833493US

An early and favorable action is requested.

Respectfully submitted:



Timothy P. Getzoff, Esq.
Benjamin L. Blaugrund, Esq.
HOLLAND & HART LLP
1050 Walnut Street, Suite 500
Boulder, Colorado 80302-5144
(303) 473-2734
tgetzoff@hollandhart.com
hblaugrund@hollandhart.com
**ATTORNEYS FOR OPPOSER
SOLARAY, INC.**

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

SOLARAY, INC.)

Opposer,)

v.)

EURO PHARMA, INC.,)

Applicant.)

Opposition No. 91156027

Serial No. 76/435,646

Published March 4, 2003



CERTIFICATE OF MAILING BY EXPRESS MAIL

11-03-2003
U.S. Patent & TMO/TM Mail Rcpt Dt. #78

Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Attn: Trademark Trial and Appeal Board

Sir:

The undersigned hereby certifies that the attached Motion for Extension of Discovery and Testimony Periods and return card, was deposited as "Express Mail," Mailing Label No. EL955833493US with the United States Postal Service, addressed to Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on November 3, 2003.

11-3-03
Date

11/3/03
Date

Brenda H. Quintana
Mailer

Timothy P. Getzoff, Esq.
Benjamin L. Blaugrund, Esq.
HOLLAND & HART LLP
1050 Walnut Street, Suite 500
Boulder, Colorado 80302
ATTORNEYS FOR OPPOSER
SOLARAY, INC.

BOX: TTAB
Attorney Docket No. 38170.0192
Express Mail No. EL955833493US

CERTIFICATE OF SERVICE

I certify that on November 3, 2003, I served a copy of the above **MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS** to the following by

- First Class U.S. Mail, postage prepaid
 Hand Delivery
 Fax

Joseph T. Leone
Bradley C. Fulton
DEWITT ROSS & STEVENS, S.C.
8000 Excelsior Drive, 4th Floor
Madison, Wisconsin 53717-1914

Brenda H. Luntan
