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

OMS INVESTMENTS, INC.,)

Opposer,)

v.)

CENTRAL GARDEN & PET)
COMPANY,)

Applicant.)

Opposition No. 91156249
For Serial No.: 76/300,626



02-19-2004

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

**STIPULATED MOTION TO EXTEND DISCOVERY AND
TESTIMONY PERIODS**

Applicant, Central Garden and Pet Company, and Opposer, OMS Investments, Inc., by their respective counsel, hereby move, pursuant to Trademark Rule 2.106 (b)(2)(iv), for an extension of all proceedings for forty-five (45) days as indicated in the revised schedule below. As grounds in support of this motion, Opposer and Applicant assert that they need the additional time to complete discovery depositions in light of other schedules; however, the parties have agreed that neither shall serve further written discovery on the other. The parties hereto agree to the following revised schedule and deadlines:

Discovery period to close:

March 24, 2004

Testimony period for party in
position of plaintiff to close:
(opening thirty days prior thereto)

May 23, 2004

Testimony period for party in
position of defendant to close:
(opening thirty days prior thereto)

August 21, 2004

Rebuttal testimony period to close:

October 5, 2004

Counsel for Applicant has agreed to the above extension and revised schedule by e-mail
correspondence on February 19, 2004.

Respectfully submitted,

OMS INVESTMENTS, INC.

Dated: 2/19/04

By: William H Oldach III

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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Stipulated Motion To Extend Discovery and Testimony Periods has been served upon the following attorney of record for Applicant by depositing a copy of same, postage pre-paid, in the United States Mail on this 19th day of February, 2004:

Diane J. Mason
Dorsey & Whitney
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111


William H. Oldach III