

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

In re Application No. 76/388,579
Trademark: STONEWATER
Filed: March 29, 2002
Published: January 14, 2003

STONEWATER SANCTUARY, INC.,

Opposer,

v.

SPA CAPITAL, LLC,

Applicant.

Opposition No.: 91156384
Serial No.: 76/388,579

11-17-2003

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

Commissioner for Trademarks
2900 Crystal Drive
Arlington VA 22202-3514
Box TTAB

CONSENTED MOTION TO EXTEND DISCOVERY/TESTIMONY PERIODS

Applicant, SPA CAPITAL, LLC, a Delaware limited liability company having a business address at 195 Church Street, 15th Floor, New Haven, Connecticut, hereby moves for a new schedule for the remaining discovery and testimony periods in the above-captioned opposition to be extended by two months. The parties are engaged in on-going settlement negotiations, and find themselves in need of additional time.

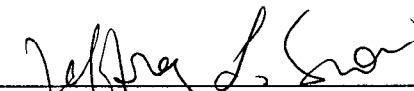
Discovery period to close:	February 9, 2004
30-day testimony period for party in position of plaintiff to close:	May 8, 2004
30-day testimony period for party in position of defendant to close:	July 7, 2004

15-day rebuttal testimony period
for plaintiff to close:

August 21, 2004

Counsel for Opposer consented to this motion via telephone on November 14, 2003.

Respectfully submitted,
KIRKPATRICK & LOCKHART LLP


By: 
Jeffrey L. Snow
Attorney for Applicant
SPA CAPITAL, LLC

75 State Street
Boston, MA 02109
(617) 261-3100

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the enclosed Consented Motion to Extend Discovery/Testimony Periods was served on counsel for Opposer, this 14th day of November 2003, by first class mail, postage prepaid, addressed to Opposer's attorneys, as follows:

Roberta S. Bren
Oblon, Spivak, McClelland, Maier & Neustadt, P.C.
1940 Duke Street
Alexandria, VA 22314



Jeffrey L. Snow

Dated: November 14, 2003

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CERTIFICATE OF MAILING

I hereby certify that this correspondence along with all papers or documents referred to therein as being attached or enclosed is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on November 14, 2003.

Jeffrey L. Snow
Name

Jeffrey L. Snow
Signature

Commissioner for Trademarks
2900 Crystal Drive
Arlington VA 22202-3514
Box TTAB

Sir:

Transmitted herewith for filing is the following document:

[XX] CONSENTED MOTION TO EXTEND DISCOVERY/TESTIMONY PERIODS

Please apply any charges or credits to Deposit Account No. 50-1721.

Respectfully submitted,
KIRKPATRICK & LOCKHART LLP

Jeffrey L. Snow
Jeffrey L. Snow

Reg. No.: 39,037
KIRKPATRICK & LOCKHART, LLP
75 State Street
Boston, MA 02109
Tel.: (617) 261-3100

Date: November 14, 2003

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