

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

IN THE MATTER OF: )

Application Serial No. 76/438,623 )

Filed: August 7, 2002 )

Published: March 4, 2003 )

Trademark: ZAVAJAVA )

ChevronTexaco Corporation, )

Opposer, )

v. )

Orion Food Systems, L.L.C., )

Applicant. )

03-18-2004

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

OPPOSITION NO.: 91/156,683

Assistant Commissioner for Trademarks  
BOX TTAB NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**CONSENTED MOTION TO EXTEND THE DISCOVERY PERIOD**  
**AND OTHER TRIAL DATES**

Applicant, Orion Food Systems, L.L.C., hereby moves for a three month extension of the discovery period and all subsequent trial dates. The discovery period is currently set to end on April 3, 2004.

There is good cause for this motion. The parties are engaged in settlement discussions that may lead to the termination of this proceeding. It is believed that the outcome of these discussions will be determined within the next three months and therefore the parties seek to extend the current discovery and trial dates by that amount while the discussions continue.

By e-mail communications with the undersigned on March 14, 2004, Opposer's counsel, Fred Hathaway, Esq. consented to this motion to extend the discovery period and trial dates.

The new dates in this proceeding would be as follows:

Discovery period to close:	July 3, 2004
30-day testimony period for party in position of plaintiff to close:	October 2, 2004
30-day testimony period for party in position of defendant to close:	December 1, 2004
15-day rebuttal testimony period for party in position of plaintiff to close:	January 16, 2005

This motion is being filed in triplicate.

Dated: March 15, 2004

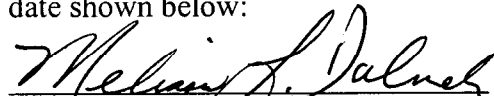


Dean R. Karau  
FREDRIKSON & BYRON, P.A.  
4000 Pillsbury Center  
200 Sixth Street South  
Minneapolis, MN 55402-1425  
(612) 492-7178  
(612) 492-7077 (Fax)

**Attorneys for Applicant  
Orion Food Systems, L.L.C.**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Trademarks, Box TTAB No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on the date shown below:

  
Melissa L. Dahmeh  
March 15, 2004

Certificate of Service

I hereby certify that a true copy of the Consented Motion to Extend the Discovery Period and Other Trial Dates was served by United States mail on the attorney of record for Opposer in this action, Fred W. Hathaway, ChevronTexaco Corporation, Law Department, P.O. Box 6006, San Ramon, California 94583, by mailing it to his address of record by first class mail, postage prepaid, this 15<sup>th</sup> day of March, 2004.

  
Melissa L. Dahraeh

2941689

TTAB

# Fredrikson & BYRON

March 15, 2004

**VIA FIRST CLASS MAIL**

BOX TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

CERTIFICATE OF MAILING	
I hereby certify that this document is being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to the Box TTAB No Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on	
Date	Signature
3/15/04	<i>Melinda L. Deluca</i>

**Re: ChevronTexaco Corporation v. Orion Food Systems, L.L.C.**  
**Opposition No.: 91/156,683**  
**Application Serial No.: 76/438,623**  
**Mark: ZAVAJAVA**



03-18-2004  
U.S. Patent & TMOc/TM Mail Rcpt Dt. #78

Dear Commissioner:

Enclosed for filing, please find the original and two copies of the parties' Consented Motion to Extend the Discovery Period and Other Trial Dates.

Very truly yours,

Dean R. Karau  
Direct Dial: 612.492.7178  
Email: IP@fredlaw.com  
DRK/mld/2941710

Enclosures

cc (w/enc.): Fred W. Hathaway, Esq.

main 612.492.7000	Fredrikson & Byron, P.A.
fax 612.492.7077	4000 Pillsbury Center
www.fredlaw.com	200 South Sixth Street
	Minneapolis, Minnesota
	55402-1425