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

FUZZI S.P.A.

Opposer

v.

BROOKWOOD COMPANIES INC.

Applicant

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Opposition No. 91156939



05-07-2004
U.S. Patent & TMOfo/TM Mail Rcpt Dt. #11

OPPOSER’S MOTION TO EXTEND OPENING OF TESTIMONY PERIOD

Opposer Fuzzi S.p.A. (“Fuzzi”) hereby moves that the opening of the testimony period be postponed for thirty (30) days to and including June 15, 2004, and that testimony be reset as follows:

Opposer’s testimony period to close (opening thirty days prior thereto)	July 15, 2004
Applicant’s testimony period to close (opening thirty days prior thereto)	September 13, 2004
Rebuttal testimony to close (opening fifteen days prior thereto)	October 28, 2004

Both parties in this proceeding have served discovery requests. In addition, a proposed protective order governing the production of confidential documents has been sent to Applicant. As yet, a signed copy of the protective order has not been returned. Postponement of the opening of Opposer’s testimony period is needed to provide the parties with sufficient time to obtain execution of the protective order and to resolve issues that have arisen as a result of responses to these discovery requests. The additional

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time will enable the parties to engage in a good faith effort to avoid filing a motion to compel.

This extension is not being requested for purposes of delay. It is believed that the requested extension will expedite the creation of a fair and complete record on which the Board may render a final decision.

Applicant's attorney has consented to the granting of this motion.

FUZZI S.P.A.

By Chiara Giuliani
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Attorneys for Opposer

CERTIFICATE OF MAILING

It is hereby certified that the attached Opposer's motion to extend opening of testimony period (re Opp. No. 91156939) is being deposited with the U.S. Postal Service addressed to the Hon. Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202 market first class mail, postage prepaid, on May 5, 2004.

Chiara Giuliani

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing has been served upon Applicant's counsels, Larry C. Jones, Brian M. Davis, Jason M. Sneed, at Alston & Bird LLP, Bank of America Plaza, 101 S. Tryon Street, Suite 4000, Charlotte, NC 28280-4000, by first class mail, postage prepaid, on May 5, 2004.

Debra F. Jones