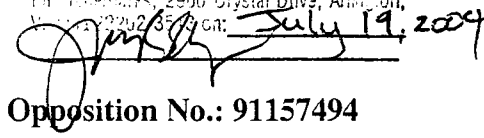


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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, 2900 Crystal Drive, Arlington, Virginia 22202-3579 on: July 19, 2004

  
Opposition No.: 91157494

Application Serial No.: 76/419,857

Mark: ZEN MOMENT

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SHISEIDO COMPANY, LTD., :  
 :  
 :  
 Opposer, :  
 :  
 v. :  
 :  
 TREVCO, INC., :  
 :  
 :  
 Applicant. :  
----- X

**OPPOSER'S MOTION WITH CONSENT TO  
EXTEND DISCOVERY AND TESTIMONY PERIODS**

07-22-2004

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

Shiseido Company, Ltd. ("Opposer"), by its attorneys, hereby moves the Trademark Trial and Appeal Board ("Board") pursuant to 37 C.F.R. §§ 2.121 and 2.127 for an order modifying the current Scheduling Order and extending the discovery and testimony dates in this *inter partes* proceeding in accordance with the schedule set forth herein. The extension of the discovery period is requested as to written discovery only. The parties have once again commenced settlement discussions, and need additional time in the event those discussions do not prove successful.

Ms. Angela Alvarez Sujek, counsel for Applicant Trevco, Inc., consented to these dates by telephone on July 16, 2004. The parties propose the following new dates:

- Discovery period to close: October 15, 2004
- 30-day testimony period for party in position of plaintiff to close: January 14, 2005
- 30-day testimony period for party in position of defendant to close: March 15, 2005
- 15-day rebuttal testimony period for plaintiff to close: April 29, 2005

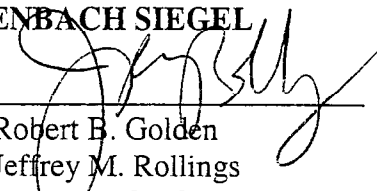
For the reasons set forth above, it is respectfully submitted that good cause for this request has been demonstrated, and that the discovery and testimony periods should be extended as requested.

Respectfully submitted,

**LACKENBACH SIEGEL**

Dated: Westchester, New York  
July 19, 2004

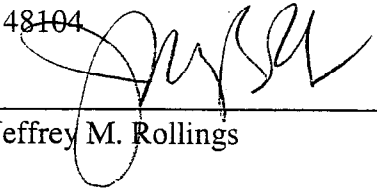
By: \_\_\_\_\_

  
Robert B. Golden  
Jeffrey M. Rollings  
Attorneys for Opposer  
One Chase Road  
Scarsdale, New York 10583  
(914) 723-4300

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the enclosed OPPOSER'S MOTION WITH CONSENT TO EXTEND DISCOVERY AND TESTIMONY PERIODS was served on counsel for Applicant on July 19, 2004, by First Class Mail, addressed to counsel for Applicant as follows:

Angela Alvarez Sujek, Esq.  
Bodman, Longley & Dahling L.L.P.  
110 Miller Street, Suite 300  
Ann Arbor, MI 48104

  
\_\_\_\_\_  
Jeffrey M. Rollings

**Lackebach**  
INTELLECTUAL PROPERTY  
ATTORNEYS SINCE 1923 **Siegel, LLP**

WRITER'S DIRECT DIAL  
(914) 723-4389  
jrollings@lsllp.com

July 19, 2004

**Via First Class Mail**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**TTAB**

**Re: Shiseido Company, Ltd. v. Trevco, Inc. Oppositions**

**Trademark: ZEN MOMENT**

**Opposition Nos.: 91157494; 91157649; 91157652; and 91158672**

07-22-2004

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

Dear Sir/Madam:

Please find the attached Consent Motions for filing. Previous versions of these documents, which were filed on Friday, July 16<sup>th</sup>, 2004, inadvertently contained typographical errors (e.g., opposition numbers were incorrect). The attached documents have corrected these errors, and should be substituted for the previous documents. We would hope to retain a filing as of Friday, July 16.

Thank you.

Very truly yours,

**LACKENBACH SIEGEL LLP**

Jeffrey M. Rollings

Enclosures  
JMR/kt

cc: Angela Alvarez Sujek, Esq. (w/enclosures)