

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

TREK BICYCLE CORPORATION, INC.)
)
Opposer,)
)
v.)
)
GREAT PLAINS MANUFACTURING)
INCORPORATED)
)
Applicant.)

Opposition No. 91158673
Serial No. 78/182,435



05-10-2004
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

MOTION ON CONSENT
TO EXTEND DISCOVERY AND TESTIMONY DATES

The Applicant, through the law firm of Hovey Williams LLP, and with the consent of Opposer, hereby moves that the Board grant a sixty-day extension of the original discovery and testimony periods as set forth in the Board's Order of December 3, 2003.

With the requested sixty-day extension of time for the discovery and testimony periods, the dates would be reset as follows:

| | |
|--|-------------------|
| Discovery | August 19, 2004 |
| Testimony period for party in position of plaintiff to close: (Opening thirty days prior thereto) | November 17, 2004 |
| Testimony period for party in position of defendant to close (Opening thirty days prior thereto) | January 16, 2005 |
| Rebuttal testimony period to close (Opening fifteen days prior thereto) | March 2, 2005 |

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to TTAB -- NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on this 7th day of May, 2004.

HOVEY WILLIAMS LLP
By *Paula J. Williams*

The parties seek this extension to allow time for entry of a protective order and the completion of discovery.

This Motion on Consent was agreed between counsel for the parties in a telephone conversation on May 6, 2004.

Accordingly, it is requested that the testimony dates be reset as indicated above. This request is filed in triplicate.

Respectfully submitted,
HOVEY WILLIAMS LLP

By



Michael Elbein
Stephen D. Timmons
2405 Grand, Suite 400
Kansas City, MO 64108
816/474-9050
816/474-9057 Fax

Attorneys for Applicant

Opposition No. 91158673
Serial No. 78182435

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Motion on Consent to Extend Discovery and Testimony Dates was mailed, first class, postage prepaid, this 7 th, day of May, 2004 to the following:

Mary Catherine Merz, Esq.
MERZ & ASSOCIATES, P.C.
1140 Lake Street, Suite 304
Oak Park, Illinois 60301

ATTORNEYS FOR OPPOSER



Michael Elbein

TTAB

LAW OFFICES
HOVEY WILLIAMS LLP
A LIMITED LIABILITY PARTNERSHIP
OF PROFESSIONAL CORPORATIONS

ROBERT D. HOVEY, P. C.
WARREN N. WILLIAMS, P. C.
STEPHEN D. TIMMONS, P. C.
JOHN M. COLLINS, P. C.
THOMAS H. VAN HOOZER, P. C.
THOMAS B. LUEBBERING, P. C.
ANDREW G. COLOMBO, P. C.
SCOTT R. BROWN, P. C.
TRACY L. BORNMAN, P. C.

ESTABLISHED 1929
INTELLECTUAL PROPERTY LAW
U.S. & FOREIGN PATENTS,
TRADEMARKS, COPYRIGHTS
& UNFAIR COMPETITION CAUSES

JILL D. SINGER
TRACEY S. TRUITT
DAVID V. AYRES
KAMERON D. KELLY
JASON E. GORDEN
GREGORY J. SKOCH
CHERYL L. BURBACH
JENNIFER C. BAILEY
RACHEL L. PICKERING

MICHAEL ELBEIN, P. C., OF COUNSEL
ALLEN W. RICHMOND, OF COUNSEL
(ADMITTED IN OKLAHOMA ONLY)

2405 GRAND BOULEVARD
SUITE 400
KANSAS CITY, MO. 64108-2519

TELEPHONE 816-474-9050
FACSIMILE 816-474-9057
www.hoveywilliams.com

DAVID TERRELL, PATENT AGENT



05-10-2004

U.S. Patent & TMO/TM Mail Receipt #22

May 7, 2004

VIA FIRST CLASS MAIL

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

**Re: Trek Bicycle Corporation v. Great Plains Mfg. Inc.
Opposition No. 91158673 re TREKER**

Dear Sir or Madam:

Enclosed please find the materials necessary for transmittal of MOTION UPON CONSENT FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS regarding the above-referenced opposition.

1. Original and two copies of MOTION UPON CONSENT FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS regarding the above-referenced opposition proceeding; and
2. A self-addressed stamped postal acknowledgment card.

Please do not hesitate to contact the undersigned at (816) 474-9051, Extension 386, if you have any questions.

Kind Regards,

Vasuki Selvan
Vasuki Selvan
Trademark Specialist

Enclosures