

ESTTA Tracking number: **ESTTA13959**

Filing date: **08/25/2004**

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

<b>Proceeding</b>	91159046
<b>Party</b>	Plaintiff NCE RESOURCES GROUP INC.
<b>Correspondence Address</b>	Stacey R. Halpern Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvine, CA 92614 UNITED STATES
<b>Submission</b>	STIPULATED REQUEST TO EXTEND THE TIME FOR APPLICANT TO RESPOND TO OPPOSER'S DISCOVERY REQUESTS, THE CLOSE OF DISCOVERY PERIOD AND THE COMMENCEMENT OF TESTIMONY PERIODS
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<b>Signature</b>	/Stacey R. Halpern/
<b>Date</b>	08/25/2004
<b>Attachments</b>	Stip Req to Extend Time to Answer Disc.pdf ( 3 pages )

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

NCE RESOURCES GROUP, INC.,

Opposer,

v.

RESMARK EQUITY PARTNERS, LLC

Applicant.

) Opposition No.: 91159046

) I hereby certify that this correspondence and all  
) marked attachments are being electronically filed  
) with the U.S. Patent and Trademark Office via  
) their website located at <http://esta.uspto.gov/> on:

) August 25, 2004

) (Date)

) 

) Stacey R. Halpern

**STIPULATED REQUEST TO EXTEND THE TIME FOR APPLICANT TO RESPOND  
TO OPPOSER'S DISCOVERY REQUESTS, THE CLOSE OF DISCOVERY PERIOD  
AND THE COMMENCEMENT OF TESTIMONY PERIODS**

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Dear Sir:

On August 20, 2004, Applicant advised Opposer that he is still awaiting comments from his client regarding Opposer's settlement agreement. In light of this, Opposer agreed to extend the deadline for Applicant to respond to Opposer's First Set of Discovery Requests by sixty (60) days, provided that all other deadlines were also extended by sixty (60) days, and on the condition that Applicant will provide comments to the draft settlement agreement on or before August 30, 2004.

Specifically, it is hereby moved that the deadline for Applicant to respond to Opposer's First Set of Discovery Requests be extended for an additional sixty (60) days up to and including October 29, 2004, that the close of the discovery period be extended for a period of sixty (60) days,

up to and including November 29, 2004, and that the testimony periods and the rebuttal testimony period be reset accordingly. The requested times as extended will be:

Deadline for Applicant to respond to Opposer's First Set of Discovery Requests:	October 29 2004
Discovery period to close:	November 29, 2004
Testimony period for party in position of Petitioner to close (opening 30 days prior thereto):	February 26, 2005
Testimony period for party in position of Respondent to close (opening 30 days prior thereto):	April 27, 2005
Rebuttal testimony period to close (opening 15 days prior thereto):	April 12, 2005

The parties request these extensions so that they can continue with their settlement discussions. Applicant's counsel, Don Finklestein, provided his consent via telephone on August 20, 2004.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

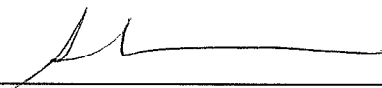
Dated: August 25, 2004

By:   
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Stacey R. Halpern  
2040 Main Street  
Fourteenth Floor  
Irvine, California 92614  
(949) 760-0404  
Attorneys for Opposer,  
NCE Resources Group Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing **STIPULATED REQUEST TO EXTEND THE TIME FOR APPLICANT TO RESPOND TO OPPOSER'S DISCOVERY REQUESTS, THE CLOSE OF DISCOVERY PERIOD AND THE COMMENCEMENT OF TESTIMONY PERIODS** upon Applicant's counsel by depositing one copy thereof in the United States Mail, first-class postage prepaid, on August 25, 2004, addressed as follows:

Don B. Finkelstein  
Law Offices Of Don Finkelstein  
3858 Carson Street, Suite 216  
Torrance, CA 90503

  
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Stacey R. Halpern

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