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

Proceeding	91168038
Party	Defendant Hawaii Kine Inc.
Correspondence Address	Douglas A. Miro Ostrolenk, Faber, Gerb & Soffen, LLP 7th Floor 1180 Avenue of the Americas New York, NY 10036 UNITED STATES squigley@ostrolenk.com
Submission	Motion to Extend
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Date	08/07/2007
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

THE GOLD CORPORATION,	:	
	:	
Opposer,	:	
	:	Opposition No. 91168038
v.	:	
	:	
HAWAII KINE INC.	:	
	:	
Applicant.	:	
	:	

APPLICANT’S MOTION TO EXTEND DISCOVERY SCHEDULE

Applicant, Hawaii Kine Inc., by its attorneys, hereby moves this Board for a thirty (30) day extension to September 18, 2007 of the presently scheduled August 19, 2007 discovery deadline set by the Board in its May 22, 2007 order. The order granted Applicant discovery concerning Opposer’s claim in its Amended Notice of Opposition and pending Summary Judgment Motion that Applicant’s mark is geographically descriptive. Applicant also requests that the other dates in the order be reset accordingly.

Applicant has served interrogatories and document requests to Opposer and the responses are due no later than August 9, 2007. To date, Opposer has not responded to Applicant’s discovery. Because of conflicts in the schedules for Applicant’s attorneys, and the short time remaining in the discovery period, it would be extremely difficult for Applicant to complete discovery. The extension will allow Applicant to complete its discovery which includes reviewing Opposer’s forthcoming responses to Applicant’s interrogatories and document requests, addressing any improper objections,

and taking the deposition of Opposer. Further, since Opposer is based in Hawaii and Applicant's attorneys are located in New York, a substantial amount of travel time may be required.

Applicant, as a courtesy, requested Opposer's consent to the extension in a telephone call on July 31, 2007 and explained the conflicts in its attorneys' schedules. While Opposer's attorney initially was receptive to the request, Opposer subsequently refused the request, without explanation, in an email to Applicant's attorney dated August 2, 2007.

This is Applicant's first request for an extension of the summary judgment motion discovery period.

All other dates in this proceeding have been suspended pursuant to the Board's April 30, 2007 Order.

Respectfully submitted,

OSTROLENK, FABER, GERB & SOFFEN, LLP

Dated: August 7, 2007

By: _____



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Attorneys for Applicant

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing APPLICANT'S MOTION TO EXTEND DISCOVERY SCHEDULE was served on Opposer by e-mail and first class mail, postage prepaid, this 7th day of August, 2007 to Opposer's attorney:

Martin E. Hsia, Esq.
CADES SCHUTTE LLP
1000 Bishop Street, Suite 1200
Honolulu, Hawaii 96813



Stephen J. Quigley