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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.
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Submission	Motion to Extend
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

THE GOLD CORPORATION,

Opposer,

v.

HAWAII KINE INC.

Applicant.

Opposition No. 91168038

APPLICANT’S MOTION TO EXTEND DISCOVERY

Applicant, Hawaii Kine Inc., by its attorneys, hereby moves this Board for a ninety (90) day extension of the discovery period and all other dates set by the Board in its August 7, 2008 order.

There is good cause for Applicant’s motion. Discovery, which had been partially completed, was suspended on April 30, 2007 following Opposer’s filing of its summary judgment motion. (Discovery was allowed and taken pursuant to Rule 56(f) in connection with the summary judgment motion.) The Board’s subsequent order denying summary judgment reset the close of discovery for October 1, 2008.

Applicant has not been able to complete its discovery which will include requesting supplemental and updated responses to its interrogatories and document requests, including sales information, advertising, marketing and promotional activities and expenditures, channels of trade, product distribution, licenses, alleged confusion, and the meaning, significance and commercial impression of “kine;” reviewing Opposer’s forthcoming responses; addressing any improper

objections; taking the deposition of Opposer as well as possible third party depositions with regard to issues raised by the Board in its opinion denying summary judgment.

The extension will allow Applicant to complete its paper discovery and take Opposer's deposition. Since Opposer is based in Hawaii and Applicant's attorneys are located in New York, a substantial amount of travel time may be required in order to conduct the deposition.

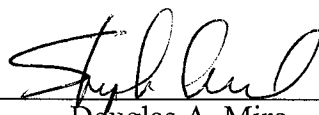
Opposer will not be prejudiced by the requested extension. It was Opposer's decision to file the summary judgment motion which resulted in a 15 month suspension of the proceedings. An additional 90 day extension to complete discovery will not harm or otherwise prejudice Opposer.

Opposer has advised Applicant that it will not stipulate to the requested extension.

Dated: October 1, 2008
New York, New York

Respectfully submitted,

OSTROLENK, FABER, GERB & SOFFEN, LLP

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 APPLICANT'S DISCOVERY PERIOD was served on Opposer by first class mail, postage prepaid, this 1st day of October, 2008 to Opposer's attorney:

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



Stephen J. Quigley