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

Proceeding	91168183
Party	Plaintiff U.S. Bariatric, LLC
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Submission	Motion to Extend
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Date	04/26/2006
Attachments	Wellness USB's Motion for Extension of Time.pdf (2 pages)(19032 bytes)

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

In re: Application of Elaine F. Kommers
Serial No. 78487940
Date Filed: September 22, 2004
Date Published: August 23, 2005
Mark: WELLNESS BUILDING BLOCKS

U.S. BARIATRIC, LLC,

Opposer,

Opposition No. 91168183

vs.

ELAINE F. KOMMERS,

Applicant.

_____ /

OPPOSER U.S. BARIATRIC, LLC'S
MOTION FOR EXTENSION OF TIME TO RESPOND TO DISCOVERY

Opposer, U.S. Bariatric, LLC ("USB"), by and through undersigned counsel, hereby requests a twenty-day extension of time, through and including May 16, 2006, to respond to Applicant Elaine Kommer's discovery requests. In support thereof, USB states as follows:

1. USB's responses to Applicant's First Set of Interrogatories and First Request for Production of Documents are currently due on April 26, 2006.
2. Due to various time constraints and deadlines, USB requests a twenty-day extension of time, through and including May 16, 2006, to respond to Applicant's First Set of Interrogatories and First Request for Production of Documents.
3. The instant Motion is made in good faith and not for purposes of delay. Applicant will not be prejudiced by the requested extension.

4. Undersigned counsel has attempted to confer with counsel for Applicant regarding the extension sought herein, but counsel has not responded to such attempts.

For the foregoing reasons, Opposer, U.S. Bariatric, LLC, requests an twenty-day extension of time, through and including May 16, 2006, to respond to Applicant's First Set of Interrogatories and First Request for Production of Documents.

KAREN L. STETSON, ESQ.
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By: Karen L. Stetson/
Karen L. Stetson
Florida Bar No. 742937
Meredith A. Frank
Florida Bar No. 502235

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was sent via U.S. Mail to Charles Saunders, 311 Lindenwold Avenue, Ambler, Pennsylvania 19002 on this 26th day of April, 2006.

By: Karen L. Stetson/
Karen L. Stetson