

ESTTA Tracking number: **ESTTA216086**

Filing date: **06/06/2008**

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

Proceeding	91169654
Party	Defendant Neways, Inc.
Correspondence Address	John C Stringham Workman Nydegger 1000 Eagle Gate Twr, 60 E South Temple Salt Lake City, UT 84111 UNITED STATES rphillips@wnlaw.com, scourdy@wnlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Robyn L. Phillips
Filer's e-mail	rphillips@wnlaw.com, scourdy@wnlaw.com
Signature	/Robyn L. Phillips/
Date	06/06/2008
Attachments	031 Stipulated Motion to Extend 30 days.pdf (3 pages)(67183 bytes)

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

In the matter of Trademark Application Nos. 78/490,974 and 78/490,954
Published in the Official Gazette of September 13, 2005
Filing Date: September 28, 2004
For the Mark: **RESURRECTION BIOMIST** and
NEWAYS RESURRECTION BIOMIST

VISUAL CHANGES SKIN CARE INTERNATIONAL, INC.)	
)	
Opposer,)	STIPULATED MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS
)	
v.)	Opposition No. 91169654
)	- consolidated with -
NEWAYS, INC.,)	Opposition No. 91169655
Applicant.)	

Applicant Neways, Inc. and Opposer Visual Changes Skin Care International, Inc. respectfully move for a thirty (30) day extension of the discovery and testimony periods. This extension is necessary to allow the parties to supplement discovery effected by the Second Amended Notice of Opposition and to complete the remaining discovery.

Opposer's counsel has been contacted regarding the present stipulation and the undersigned certifies that all counsel agree to the new dates set forth below. Applicant's attorney has been authorized to submit this document on behalf of, and with the consent of, both parties to this Opposition proceeding.

Discovery Period is to close: August 17, 2008

Testimony Period for Party in
Position of Plaintiff to Close
(Opening thirty days prior thereto) November 15, 2008

Testimony Period for Party in
Position of Defendant to Close
(Opening thirty days prior thereto) January 14, 2009

Rebuttal Testimony Period to Close
(Opening fifteen days prior thereto) February 28, 2009

DATED this 6th day of June, 2008.

Respectfully submitted,

/Robyn L. Phillips/
John C. Stringham, Reg. No. 40,831
Robyn L. Phillips, Reg. No. 39,330

WORKMAN | NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

ATTORNEYS FOR APPLICANT
NEWAYS, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **STIPULATED MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS** was served on Opposer via facsimile and by mailing a true copy thereof to its attorney of record by First Class Mail, postage prepaid this 6th day of June, 2008, in an envelope addressed as follows:

Mark D. Miller
Robert W. Branch
KIMBLE, MACMICHAEL & UPTON
5260 N. Palm Avenue, Suite 221
Fresno, CA 93704

/Robyn L. Phillips/

C:\NrPortb\DMDS1\RPHILLIP\1795476_1.DOC