

ESTTA Tracking number: **ESTTA92418**

Filing date: **07/31/2006**

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

Proceeding	91169654
Party	Defendant Neways, Inc. Neways, Inc. 2089 Neways Drive Springville, UT 84663
Correspondence Address	John C Stringham Workman Nydegger 1000 Eagle Gate Twr, 60 E South Temple Salt Lake City, UT 84111
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	07/31/2006
Attachments	012 Stip Mot for Extension.pdf ( 3 pages )(68855 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 Marks: **RESURRECTION BIOMIST** and  
**NEWAYS RESURRECTION BIOMIST**

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VISUAL CHANGES SKIN CARE	)	
INTERNATIONAL, INC.	)	
	)	
Opposer,	)	<b>STIPULATED MOTION FOR</b>
	)	<b>EXTENSION OF</b>
v.	)	<b>DISCOVERY AND</b>
	)	<b>TESTIMONY PERIODS</b>
	)	
NEWAYS, INC.,	)	
	)	
Applicant.	)	Opposition No. 91169654
	)	Opposition No. 91169655
	)	

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Opposer Visual Changes Skin Care International, Inc. (“Opposer”) and Applicant Neways, Inc. (“Neways”) respectively move for a two (2) week extension of the discovery and testimony periods. The requested extension is intended to preserve the status quo in light of the extension granted to Opposer to respond to written discovery served by Neways. 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. Neway’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: October 9, 2006

Testimony Period for Party in  
Position of Plaintiff to Close  
(Opening thirty days prior thereto) January 7, 2007

Testimony Period for Party in  
Position of Defendant to Close  
(Opening thirty days prior thereto) March 8, 2007

Rebuttal Testimony Period to Close  
(Opening fifteen days prior thereto) April 22, 2007

DATED this 31<sup>st</sup> day of July, 2006.

Respectfully submitted,



John C. Stringham, Reg. No. 40,831  
Robyn L. Phillips, Reg. No. 39,330  
Michael M. Ballard, Reg. No. 54,978

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

ATTORNEYS FOR APPLICANT  
NEWAYS, INC.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 31<sup>st</sup> day of July, 2006, a true and correct copy of the foregoing **STIPULATED MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS** has been provided by United States First Class Mail, postage prepaid, in an envelope addressed as follows:

Mark D. Miller  
Jeremy D. Clar  
**KIMBLE, MACMICHAEL & UPTON**  
Post Office Box 9489  
Fresno, CA 93792-9489

A handwritten signature in cursive script, reading "Robert L. Phillips", written over a horizontal line.