

ESTTA Tracking number: **ESTTA122082**

Filing date: **01/29/2007**

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

Proceeding	91170202
Party	Defendant JMBP, Inc. JMBP, Inc. 2nd Floor 640 North Sepulveda Boulevard Los Angeles, CA 90049
Correspondence Address	GARY A. HECKER THE HECKER LAW GROUP, PLC 1925 CENTURY PARK EAST, SUITE 2300 LOS ANGELES, CA 90067
Submission	Stipulated/Consent Motion to Extend
Filer's Name	James M. Slominski
Filer's e-mail	jslominski@hh.com, mkiran@hh.com
Signature	/james m. slominski/
Date	01/29/2007
Attachments	Motion to Extend.pdf (3 pages)(283936 bytes)

1 Gary A. Hecker, Esq. (State Bar No. 099008)
2 James M. Slominski, Esq. (State Bar No. 166357)
3 **THE HECKER LAW GROUP, PLC**
4 1925 Century Park East, Suite 2300
5 Los Angeles, California 90067
6 Telephone: (310) 286-0377
7 Facsimile: (310) 286-0488
8 ghecker@hh.com
9 jslominski@hh.com

10 Attorneys for Applicant
11 JMBP, INC.

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

14 RUSSELL G. WEINER

15 Opposer,

16 v.

17 JMBP, INC.,

18 Applicant.

19 Opposition No. 91170202
20 Serial No. 78976392

21 **APPLICANT'S CONSENTED MOTION**
22 **TO EXTEND DISCOVERY AND**
23 **TESTIMONY PERIODS**

24 To: Commissioner for Trademarks
25 P. O. Box 1451
26 Alexandria, VA 22313-1451

27 Comes now Applicant, JMBP, Inc. ("JMBP"), with the consent of Opposer,
28 RUSSELL G. WEINER ("WEINER"), requests that the time for discovery and
testimony be extended ninety days (90) to enable the parties to depose individuals and
complete discovery. Applicant requests an extension of the discovery and testimony
periods so that this opposition have a table for trial is as follows:

Period for Discovery to Close: May 21, 2007

1 30 Day Testimony Period for Party in
2 Position of Plaintiff to Close: August 20, 2007

3 30 Day Testimony Period for Party in
4 Position of Defendant to Close: October 17, 2007

5 15 Day Rebuttal Testimony Period
6 for Plaintiff to Close: December 3, 2007

7
8 This extension is not being sought for purpose of delay or due to a lack of
9 diligence of the parties. The parties have consented to an extension of the discovery
10 and testimony periods because they believe in good faith that additional time is
11 necessary to schedule and complete discovery.

12 Dated: January 29, 2007

THE HECKER LAW GROUP, PLC

13
14 By  _____

15 Gary A. Hecker, Esq.
16 James M. Slominski, Esq.
17 THE HECKER LAW GROUP, PLC
18 1925 Century Park East
19 Suite 2300
20 Los Angeles, CA 90067
(310) 286-0377

21 Attorneys for Applicant
22 JMBP, INC.
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1 **Certificate of Service**

2 U.S. PATENT & TRADEMARK OFFICE
3 TRADEMARK TRIAL AND APPEAL BOARD
4 Opposition No. 91170202

5 I am employed in the County of Los Angeles, State of California. I am over
6 the age of 18 and not a party to the within action. My business address is: The
7 Hecker Law Group, PLC, 1925 Century Park East, Suite 2300, Los Angeles,
California 90067.

8 On January 29, 2007 I caused to be served the attached document:

9 **APPLICANT'S CONSENTED MOTION TO EXTEND DISCOVERY AND**
10 **TESTIMONY PERIODS**

11 by placing a true copy thereof in a sealed envelope addressed as follows:

12
13 Ian K. Boyd, Esq.
Seth I. Appel, Esq.
14 HARVEY SISKIND LLP
15 Four Embarcadero Center, 39th Floor
San Francisco, CA 94111

16 **X BY MAIL**

17 I caused such envelope with postage thereon fully prepaid to be placed in the
18 United States mail at Los Angeles, California.

19 Executed on January 29, 2007 at Los Angeles, California. I declare that I am
20 employed in the office of a member of the State Bar of California at whose
21 direction the service was made.

22
23 
24 _____
Moneeta Kiran