

ESTTA Tracking number: **ESTTA237805**

Filing date: **09/19/2008**

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

Proceeding	91170202
Party	Defendant JMBP, Inc.
Correspondence Address	GARY A. HECKER THE HECKER LAW GROUP, PLC 1925 CENTURY PARK EAST, SUITE 2300 LOS ANGELES, CA 90067 UNITED STATES jslominski@hh.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Andrea L. Mast
Filer's e-mail	amast@hh.com
Signature	/Andrea L. Mast/
Date	09/19/2008
Attachments	Consented Motion to Extend Time to Respond.pdf ( 4 pages )(177891 bytes )

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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 **CONSENTED MOTION TO EXTEND**  
22 **APPLICANT'S TIME TO RESPOND TO**  
23 **OPPOSER'S MOTION FOR**  
24 **JUDGMENT OR, IN THE**  
25 **ALTERNATIVE, TO COMPEL**  
26 **DISCOVERY**

27 To: Commissioner for Trademarks  
28 P. O. Box 1451  
Alexandria, VA 22313-1451

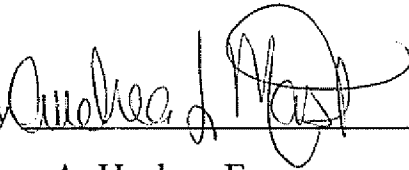
29 Comes now Applicant, JMBP, Inc. ("JMBP"), with the consent of Opposer,  
30 RUSSELL G. WEINER ("WEINER"), requests that the Board approve an extension  
31 of time for JMBP to respond to Opposer's Motion for Judgment or, in the Alternative,  
32 to Compel Discovery ("the Motion") (TTABVUE filing #19).

33 The original deadline for JMBP's response was set for September 29, 2008 and  
34 the parties hereby stipulate to extend that deadline by an additional ten (10) days. The  
35 new deadline is October 9, 2008. The extension is permitted pursuant to 37 CFR  
36 Section 2.127(a) and TBMP 502.02(b) and is not being sought for the purpose of  
37 delay or due to a lack of diligence of the parties.

1 The parties further stipulate to stay all depositions pending the Board's ruling  
2 on Opposer's Motion for Judgment or, in the Alternative, to Compel Discovery.  
3

4 Dated: September 19, 2008

**THE HECKER LAW GROUP, PLC**

5  
6 By  \_\_\_\_\_

7  
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**CERTIFICATE OF TRANSMISSION**

*This is to certify that this correspondence is being electronically transmitted through ESTTA to: TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on: September 19, 2008*

*MKiran*  
Moneeta Kiran

*9-19-08*  
Date

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she caused the foregoing **CONSENTED MOTION TO EXTEND APPLICANT'S TIME TO RESPOND TO OPPOSER'S MOTION FOR JUDGMENT OR, IN THE ALTERNATIVE, TO COMPEL DISCOVERY** to be served upon the attorney for Opposer in this proceeding, Seth I. Appel, Harvey Siskind LLP, Four Embarcadero Center, 39<sup>th</sup> Floor, San Francisco, Ca. 94111, by U.S. First Class Mail, postage prepaid this 19<sup>th</sup> day of September 2008.

  
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