

ESTTA Tracking number: **ESTTA171669**

Filing date: **10/30/2007**

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

Proceeding	91175634
Party	Plaintiff AOL LLC
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Submission	Motion to Extend
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Date	10/30/2007
Attachments	cmac.pdf (3 pages)(621104 bytes)

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

AOL LLC :

Opposer :

v. : Opp. No. 91175634

C-MAC INVOTRONICS, INC.
dba SOLECTRON INVOTRONICS :

Applicant :

MOTION FOR EXTENSION OF TIME

Pursuant to Fed. R. Civ. P. 6(b) and 37 C.F.R. §§ 2.116(a) and 2.120(a), Opposer AOL LLC hereby moves that the discovery period be extended for sixty (60) days, and that dates and deadlines in the above referenced proceeding be reset as follows:

Discovery Period to close	December 24, 2007
Testimony period for Opposer to close	March 24, 2008
Testimony period for Applicant to close (opening thirty days prior thereto)	May 23, 2008
Rebuttal testimony period to close (opening fifteen days prior thereto)	July 7, 2008

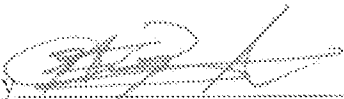
The parties are actively engaged in settlement discussions and are negotiating a proposed draft settlement agreement. The additional time is needed to enable the parties to finalize the terms of, and execute, the agreement.

Opposer initiated this proceeding on February 12, 2007.¹ On March 5, 2007, Opposer served Applicant with first sets of interrogatories and requests for production. The parties thereafter commenced meaningful settlement negotiations and have stipulated to extend the deadlines in this proceeding several times to facilitate continued negotiations. C-Mac has yet to answer the notice of opposition or respond to the outstanding discovery requests. No depositions have yet been scheduled. Opposer is hopeful that the parties will soon finalize and execute a settlement agreement, pursuant to which this proceeding may be dismissed. However, Opposer seeks this extension out of an abundance of caution and to preserve its rights in the event the parties are unable to reach a final agreement.

Opposer's counsel has attempted to contact counsel to the Applicant by telephone and e-mail to confirm that Applicant does not object to the extension requested herein. Applicant's counsel has not yet confirmed consent. However, in view of the ongoing settlement negotiations, prior similar stipulated extensions, and a recent similar stipulated extension in related Proceeding No. 91176421, Opposer believes that Applicant has no objection and an extension in this proceeding is appropriate.

Respectfully submitted,

AOL LLC

By 

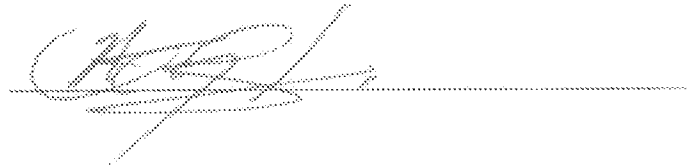
James R. Davis, II
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Counsel to Opposer

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¹ On May 8, 2007, Opposer moved to amend the notice of opposition to note that additional marks at issue had become incontestable, and the Board granted that motion.

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing is being served upon counsel to the Registrant, Hon. Joseph V. Colaianni and Mary Fran Love, at Patton Boggs LLP, 2550 M Street N.W. Washington, DC 20037 via First Class Mail, postage prepaid, on October 30, 2007, and to Ms. Love via e-mail attachment on October 30, 2007.

A handwritten signature in black ink, appearing to be "H. J. Colaianni", is written over a horizontal dotted line. The signature is stylized and extends above and below the line.