

ESTTA Tracking number: **ESTTA235231**

Filing date: **09/08/2008**

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

Proceeding	91181555
Party	Plaintiff Pinkberry, Inc.
Correspondence Address	Clark D. Gross Russ, August & Kabat 12424 Wilshire Boulevard, Suite 1200 LOS ANGELES, CA 90025 UNITED STATES cgross@raklaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Clay P. Hughes
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Signature	/Clay P. Hughes/
Date	09/08/2008
Attachments	motion to extend time (9.8.8).pdf (3 pages)(53311 bytes)

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

In the Matter of Application Serial No.: 77/170,441
Marks: YO BERRY (stylized)
Published: October 20, 2007
Opposer's Refs: 08-134-US-OP-3

Pinkberry, Inc., Opposer, v. Joontack Lee, an individual, Applicant.	Opposition No.: 91181555
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VIA ESTTA

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

**STIPULATED MOTION TO REOPEN DISCOVERY
AND EXTENSION OF PROCEEDINGS**

Discovery in the above-referenced matter closed on September 2, 2008. Applicant has not yet responded to Opposer's first set of discovery requests. On September 3, 2008, Applicant and Opposer discussed the outstanding responses via teleconference. Applicant informed Opposer that it was unable to respond to the discovery requests within the discovery period.

The parties thus respectfully request that the discovery period be re-opened until October 15, 2008 to allow for the completion of discovery. The parties further seek to extend the remaining proceeding deadlines by an additional six (6) weeks commensurate with the extension of discovery.

On September 3, 2008, Mr. Joontack Lee, *pro se* representative for Opposer, consented to this request and acknowledged support for this motion.

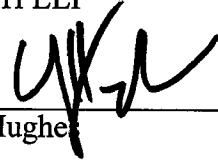
Dated: September 8, 2008

Respectfully submitted,

REED SMITH LLP

By: _____

Clay P. Hughes



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 8th day of September, 2008, a true and correct copy of the foregoing **STIPULATED MOTION TO REOPEN DISCOVERY AND EXTENSION OF PROCEEDINGS** was directed to be served on Applicant by email to joontacklee@hotmail.com and by first class, United States mail, postage prepaid, to the following:

Yoberry
c/o Mr. Joontack Lee
925 Blossom Hill Rd. #1072
San Jose, CA 95123

Mr. Joontack Lee
19741 Burgundy Way
Saratoga, CA 95070



Attorney for Opposer