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

Proceeding	91183799
Party	Plaintiff Pure Entertainment, LLC
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Submission	Stipulated/Consent Motion to Extend
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Date	12/19/2008
Attachments	Stipu001.PDF (4 pages)(250309 bytes)

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

In the Matter of Trademark Registration No. 77/071,279
For the Mark BUTTER LOUNGE
Published in the Official Gazette on January 1, 2008

PURE ENTERTAINMENT, LLC,	:	
	:	
Petitioner,	:	Opposition No.: 91183799
	:	
v.	:	
	:	
BUTTER LICENSING, LLC,	:	
	:	
Respondent.	:	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
BOX TTAB
2900 Crystal Drive
P.O. Box 1451
Alexandria, VA 22313-1451

STIPULATED MOTION TO RESCHEDULE CLOSING DATE
FOR DISCOVERY AND TESTIMONY PERIODS

COMES NOW Opposer, Pure Entertainment, LLC (“**Pure Entertainment**”), by and through its attorneys, and files this Stipulated Motion to Reschedule Closing Date for Discovery and Testimony Periods pursuant to Trademark Rules of Practice 37 C.F.R. Part 2, Sections 2.121(c) and (d), and in support thereof would show the following:

1. As established by the Board’s order mailed June 3, 2008, the current closing dates for discovery and testimony periods are as follows:

Discovery Closes	1/23/09
Plaintiff's Pretrial Disclosures	3/9/09
Plaintiff's 30-day Trial Period Ends	4/23/09
Defendant's Pretrial Disclosures	5/8/09
Defendant's 30-day Trial Period Ends	6/22/09
Plaintiff's Rebuttal Disclosures	7/7/09
Plaintiff's 15-day Rebuttal Period Ends	8/6/09

2. The same parties before the Board in this action are also involved in a subsequently filed cancellation action currently pending before the Board, Cancellation No. 92049767, Registration No. 3380349 (the "**Cancellation Action**").

3. The parties therefore request that the discovery period and trial testimony periods in this action be extended to conform to the periods currently set in the cancellation action. The discovery and testimony periods in the Cancellation Action are scheduled as follows:

Discovery Closes	4/13/09
Plaintiff's Pretrial Disclosures	5/28/09
Plaintiff's 30-day Trial Period Ends	7/12/09
Defendant's Pretrial Disclosures	7/27/09
Defendant's 30-day Trial Period Ends	9/10/09
Plaintiff's Rebuttal Disclosures	9/25/09
Plaintiff's 15-day Rebuttal Period Ends	10/25/09

4. The requested extension of the discovery and testimony periods in this action is not for purposes of delay, but instead to ensure consistency in the submissions in the two proceedings and to save the parties from duplication of effort and expenditures.

5. The parties have agreed to file this stipulated motion to extend the discovery period and trial testimony periods. Undersigned counsel specifically represents that counsel for defendant Butter Licensing, LLC, has agreed to and approved this proposed stipulated schedule modification.

WHEREFORE, Pure Entertainment moves the Trademark Trial and Appeal Board by stipulation to extend the discovery and testimony period deadlines in this matter to the following schedule:

Discovery Closes	4/13/09
Plaintiff's Pretrial Disclosures	5/28/09
Plaintiff's 30-day Trial Period Ends	7/12/09
Defendant's Pretrial Disclosures	7/27/09
Defendant's 30-day Trial Period Ends	9/10/09
Plaintiff's Rebuttal Disclosures	9/25/09
Plaintiff's 15-day Rebuttal Period Ends	10/25/09

THIS the 19th day of December, 2008.

Respectfully submitted,

PHELPS DUNBAR LLP

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by overnight courier, postage prepaid, on the following counsel, this the 19th day of December, 2008:

Craig M. Spierer
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