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Filing date: **01/20/2009**

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

Proceeding	91184137
Party	Plaintiff WD-40 Manufacturing Company
Correspondence Address	Kathleen A. Pasulka Procopio Cory Hargreaves & Savitch LLP 530 B Street, Suite 2100 San Diego, CA 92101 UNITED STATES docketing@procopio.com, glj@procopio.com
Submission	Other Motions/Papers
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Signature	/kap/
Date	01/20/2009
Attachments	glj wd mo.pdf ( 3 pages )(77536 bytes )

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

WD-40 Manufacturing Company,     )  
                  Opposer                     )  
   )  
v   )  
   )  
Wick Jacobi Design Group, Inc.,     )  
                  Applicant                     )  
   )  
In the Matter of Trademark         )  
Application                             )  
Serial No.                 77/251,231     )  
Filed:                     August 9, 2007     )  
By Wick Jacobi Design Group, Inc.     )  
for the mark 10W40 in Class 3         )

**OPPOSER'S MOTION FOR 14 DAY EXTENSION OF TESTIMONY  
PERIOD AND RESETTING OF REMAINING TRIAL DATES**

Trademark Trial and Appeal Board  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir/Madam:

Opposer, WD-40 Manufacturing Company, through its undersigned attorney, requests a two week extension of the Testimony Period and Resetting of Trial Dates. Applicant's counsel, Gilbert J. Andia, Jr. and Counsel for Opposer have agreed to settlement and are in the process of finalizing the Settlement

Agreement. Opposer's counsel formally requested the two week extension via email to Applicant's counsel, who has not yet responded and Opposer's counsel believes it is due to the holiday.

The proposed dates are as follows:

Discovery period to close:	2/3/09
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	3/20/09
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	5/4/09
15-day rebuttal testimony period to close (opening fifteen days prior thereto)	
Defendant's Pretrial Disclosures	5/19/09
Defendant's 30-day Trial Period Ends	7/3/09
Plaintiff's Rebuttal Disclosures	7/18/2009
Plaintiff's 15-day Rebuttal Period Ends	8/17/2009

Having shown good cause, it is, therefore, respectfully requested that the additional time be granted.

DATED: January 20, 2009

PROCOPIO, CORY, HARGREAVES  
& SAVITCH LLP

By: 

Kathleen A. Pasulka

530 B Street, Suite 2100  
San Diego, California 92101  
Telephone: 619.238.1900  
Facsimile: 619.235.0398  
Attorneys for Opposer, WD-40 Manufacturing  
Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing **OPPOSER'S MOTION FOR 14 DAY EXTENSION OF TESTIMONY PERIOD AND RESETTING OF REMAINING TRIAL DATES** is being emailed on January 20, 2009 as follows:

GILBERT J. ANDIA, JR. Via Email: bandia@greensborolaw.com  
HUNTER HIGGINS MILES ELAM & BENJAMIN PLL  
101 W FRIENDLY AVE STE 500  
GREENSBORO, NC 27401-2521

Dated: January 20, 2009

  
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GEENA L. JACKSON