

ESTTA Tracking number: **ESTTA288662**

Filing date: **06/09/2009**

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

Proceeding	91187553
Party	Defendant Leehar Distributors, Inc.
Correspondence Address	JENNIFER M. WEBER GREENSFELDER, HEMKER & GALE, P.C. 10 S BROADWAY, STE 2000 SAINT LOUIS, MO 63102-1747 UNITED STATES jep@greensfelder.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	John E. Petite
Filer's e-mail	jep@greensfelder.com, krh@greensfelder.com
Signature	/John E. Petite/
Date	06/09/2009
Attachments	LDI Extension.pdf (3 pages)(12657 bytes)

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

In the Matter of Trademark Application)
Serial Nos. 77/412,801 and 77/412,887)
Filed March 4, 2008, by)
Leehar Distributors, Inc., Published July 22, 2008,)
For the Trademarks: "LDI" and "LDI & Design")
Aldi, Inc.,)
)
Opposer,)
)
v.)
)
Leehar Distributors, Inc.,)
)
Applicant.)

Opposition No. 91/187,553

I hereby certified that this paper is being transmitted by electronic mail to the United States Patent and Trademark Office <http://www.uspto.gov> on this date: June 9, 2009.

/s/ John E. Petite

BOX TTAB/NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

CONSENT MOTION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §2.127 and Section 509.01 of the Trademark Trial and Appeal Board Manual of Procedure ("TBMP"), Leechar Distributors, Inc. ("Applicant") respectfully requests that the Trademark Trial and Appeal Board ("the Board") extend the time for Applicant to answer or otherwise respond in this proceeding by ten (10) days, to and including June 19, 2009. In support of this Motion, Applicant respectfully state as follows:

1. Applicant's answer is due by June 9, 2009.
2. The parties have negotiated a settlement, but require additional time to finalize the terms.
3. Counsel for Opposer Aldi, Inc. ("Opposer") consents to the requested extension.
4. The amount of additional time sought, ten (10) days, is not unreasonable and will not result in undue delay.

WHEREFORE, Applicant respectfully requests, with Opposer's consent, (1) that the Board grant Applicant an extension of time of ten (10) days, to and including June 19, 2009, to answer or otherwise respond in these proceedings; and (2) such other and further relief as the Board deems just and appropriate under the circumstances.

Dated: June 9, 2009

Respectfully submitted,

By /s/ John E. Petite

John E. Petite, Esq.

jep@greensfelder.com

GREENSFELDER, HEMKER & GALE, P.C.

10 South Broadway, Suite 2000

St. Louis, Missouri 63102

(314) 241-9090

(314) 241-1285 (fax)

Attorney for Applicant LeeHar Distributors, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 9, 2009, a copy of the foregoing
CONSENT MOTION FOR EXTENSION OF TIME was served via e-mail, on the following:

Allen L. Landmeier, Esq.
a_landmeier@smithlandmeier.com
Vincent J. Elders, Esq.
v_elders@smithlandmeier.com
15 North Second Street
P.O. Box 127
Geneva, Illinois 60134-0127

Attorneys for Opposer

/s/ John E. Petite

Attorney for Applicant