

ESTTA Tracking number: **ESTTA301778**

Filing date: **08/19/2009**

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

Proceeding	91190585
Party	Plaintiff MasterCard International Incorporated, Maestro International Incorporated
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Submission	Stipulated/Consent Motion to Extend
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Signature	/drs/
Date	08/19/2009
Attachments	Maestro v. Health Management - Motion to Extend.pdf (4 pages)(89678 bytes)

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

IN THE MATTER OF APPLICATION

Mark : MAESTRO
Applicant : Health Management Systems, Inc.
Serial No. : 77/316,751
Filed : October 30, 2007
Published in the
Official Gazette : February 10, 2009

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MAESTRO INTERNATIONAL
INCORPORATED and :
MASTERCARD INTERNATIONAL :
INCORPORATED, :
Opposers, : Opposition No. 91190585
v. :
HEALTH MANAGEMENT SYSTEMS, INC. :
Applicant. :
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**MOTION ON CONSENT TO
EXTEND DISCOVERY AND TRIAL DATES**

Opposers, Maestro International Incorporated and MasterCard International Incorporated (“Opposers”), by their attorneys, hereby respectfully move the Trademark Trial and Appeal Board (“Board”), with the consent of Applicant, for an order extending the terms for discovery and testimony by thirty (30) days in accordance with the following schedule:

Deadline for Discovery Conference : September 18, 2009
Open of Discovery : September 18, 2009
Deadline for Initial Disclosures : October 18, 2009

Expert Disclosures Due : February 15, 2010
Discovery Period to Close : March 17, 2010
Plaintiff Pretrial Disclosures : May 1, 2010
Plaintiff's 30-day Trial Period Ends : June 15, 2010
Defendant's Pretrial Disclosures : June 30, 2010
Defendant's 30-day Trial Period ends : August 14, 2010
Plaintiff's Rebuttal Disclosures : August 29, 2010
Plaintiff's 15-day Rebuttal Period Ends : September 28, 2010

This extension of dates is requested because the parties require additional time to conduct the discovery conference. This motion is made in good faith and without any intention of causing a delay in this proceeding.

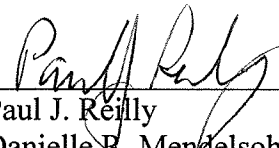
WHEREFORE, for the reasons stated and the good cause shown herein, Opposers, by their counsel and with Applicant's consent, respectfully request that the deadline for holding the discovery conference, the opening of discovery, the deadline for initial disclosures and discovery and trial dates be extended and reset in accordance with the above schedule.

Respectfully submitted,

BAKER BOTTS, L.L.P.

Date: August 19, 2009

By:



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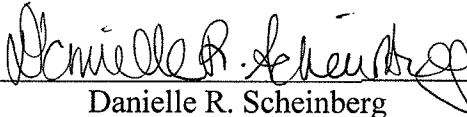
Attorneys for Opposers
Maestro International Incorporated
and MasterCard International Incorporated

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below a true and correct copy of the aforementioned document, "**MOTION ON CONSENT TO EXTEND DISCOVERY AND TRIAL DATES,**" was served by First Class Mail, in an envelope with sufficient postage, upon the following counsel of record for the Applicant:

Marc S. Leonardo
Steven M. Veenema
Brown Rudnick LLP
One Financial Center
Boston, MA 02111

Date: August 19, 2009


Danielle R. Scheinberg