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Filing date: **05/20/2013**

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

|                        |  |
|------------------------|--|
| Proceeding             | 91200769   |
| Party                  | Defendant<br>Ferring B.V.  |
| Correspondence Address | ARNE M OLSON<br>OLSON CEPURITIS LTD<br>20 N WACKER DR, 36TH FLOOR<br>CHICAGO, IL 60606 3103<br>UNITED STATES<br>TMDocket@olsonip.com, docket@olsonip.com, kgaripay@olsonip.com |
| Submission             | Motion to Extend   |
| Filer's Name           | Kathryn E. Garipay   |
| Filer's e-mail         | TMDocket@olsonip.com, docket@olsonip.com, kgaripay@olsonip.com   |
| Signature              | /Kathryn E. Garipay/   |
| Date                   | 05/20/2013   |
| Attachments            | Motion to Extend Discovery and Proceeding Deadlines.pdf(79357 bytes )  |

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

|                     |   |                         |
|---------------------|---|-------------------------|
| SYNTHESES USA, LLC, | : |                         |
|                     | : |                         |
| Opposer,            | : |                         |
|                     | : |                         |
| v.                  | : | Opposition No. 91200769 |
|                     | : |                         |
| FERRING B.V.,       | : | Serial No. 76/702,122   |
|                     | : | Serial No. 76/702,123   |
| Applicant.          | : |                         |

**APPLICANT'S MOTION TO EXTEND  
DISCOVERY AND PROCEEDING DEADLINES**

Applicant, Ferring B.V., moves for entry of an order extending the close of discovery, and the proceeding deadlines. In support of this motion, Applicant states as follows:

1. Discovery in this opposition is set to close on June 18, 2013.
2. Currently pending with the Trademark Trial and Appeal Board ("the Board") is Applicant's Motion to Compel. The motion to compel asks the Board to determine that the First Set of Interrogatories served on Opposer does not exceed the limit of 75, and to compel Opposer to fully answer the interrogatories.
3. The Board has not yet ruled on Applicant's motion to compel.
4. Although the Board has issued an order suspending the proceedings pending the ruling on the motion to compel, it is unclear if the proceeding deadlines were also suspended, and will be reset.
5. Applicant will need additional time, following the ruling on the motion to compel, to study Opposer's responses, conduct follow-up discovery as may be needed, and otherwise complete fact and expert discovery.

WHEREFORE, for the foregoing reasons, Applicant, Ferring B.V., respectfully requests

that the Trademark Trial and Appeal Board, following its ruling on Applicant's Motion to Compel, extend the close of discovery and the proceeding deadlines, and set discovery to close ninety (90) days after the Board's ruling on Applicant's Motion to Compel, with other dates following in the usual sequence.

Respectfully submitted,

FERRING B.V.

Date: May 20, 2013

By: Kathryn E. Garipay

Arne M. Olson  
Kathryn E. Garipay  
Alissa A. Digman  
OLSON & CEPURITIS, LTD.  
20 North Wacker Drive, 36<sup>th</sup> Floor  
Chicago, Illinois 60606  
(312) 580-1180

Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **APPLICANT'S MOTION TO EXTEND DISCOVERY AND PROCEEDING DEADLINES** is being served on Opposer's counsel, Denise I. Mroz, Esq. and Jacqueline Lesser, Esq., WOODCOCK WASHBURN LLP, Cira Centre, 12<sup>th</sup> Floor, 2929 Arch Street, Philadelphia, PA 19104 by electronic transmission, as agreed upon by the parties, at the following email addresses:

Dmroz@woodcock.com  
Jlesser@woodcock.com

on this 20<sup>th</sup> day of May, 2013.

Kathryn E. Garipay  
Kathryn E. Garipay

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