

ESTTA Tracking number: **ESTTA508954**

Filing date: **12/04/2012**

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

Proceeding	91206892
Party	Plaintiff AngioDynamics, Inc.
Correspondence Address	GARY H FECHTER MCCARTER & ENGLISH LLP 245 PARK AVENUE, 27TH FLOOR NEW YORK, NY 10167 UNITED STATES gfechter@mccarter.com, dlynch@mccarter.com
Submission	Stipulated/Consent Motion to Extend
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Signature	/ghf/
Date	12/04/2012
Attachments	120412 Letter.pdf (2 pages)(63954 bytes)

December 4, 2012

VIA ELECTRONIC SUBMISSION

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
Attention: Jennifer Krisp
P.O. Box 1451
Alexandria, VA 22313-1451

Gary H. Fechter
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Re: AngioDynamics, Inc. v. Teleflex Incorporated: Pending Motion to Consolidate Opposition No. 91206708 (SMART CATHETER) and Opposition No. 91206892 (THE SMART CATHETER COMPANY)

Dear Ms. Krisp:

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We represent Opposer AngioDynamics, Inc. ("AngioDynamics") in the above-referenced matters.

On November 13, 2012, AngioDynamics filed a motion to consolidate Opposition No. 91206892 for the mark THE SMART CATHETER COMPANY with Opposition No. 91206708 for the mark SMART CATHETER (the "Motion"). Applicant Teleflex, Incorporated consented to the Motion. The Motion is currently pending before the Trademark Trial and Appeal Board (the "Board").

In addition to consolidation, the parties also requested that the discovery and trial dates in the Consolidated Proceeding be as set forth in Opposition No. 91206892 (the later of the two filed Oppositions). See Motion at 1. Subsequently, on November 28, 2012, and in response to a previous request by the parties in connection with Opposition No. 91206708, the Board granted an extension of the discovery and trial dates in that Opposition due to the disruption caused by Hurricane Sandy. The deadlines set forth in the November 28 Ruling are even longer than those identified in connection with the pending Motion. See November 28 Ruling at 3.

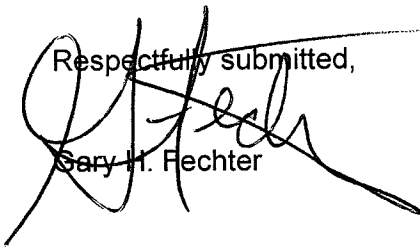
As such, AngioDynamics and Teleflex Incorporated respectfully request that the Board consolidate the above-referenced proceedings and adopt for the Consolidated Proceeding the extended discovery and trial dates now in effect in Opposition No. 91206708 as follows:

BOSTON		
HARTFORD		
NEW YORK		
NEWARK		
PHILADELPHIA		
STAMFORD	Deadline for Discovery Conference	12/5/2012
	Discovery Opens	12/5/2012
	Initial Disclosures Due	1/4/2013
WILMINGTON		

Jennifer Krisp
December 4, 2012
Page 2

Expert Disclosures Due	5/4/2013
Discovery Closes	6/3/2013
Plaintiff's Pretrial Disclosures due	7/18/2013
Plaintiff's 30-day Trial Period Ends	9/1/2013
Defendant's Pretrial Disclosures due	9/16/2013
Defendant's 30-day Trial Period Ends	10/31/2013
Plaintiff's Rebuttal Disclosures due	11/15/2013
Plaintiff's 15-day Rebuttal Period Ends	12/15/2013

Respectfully submitted,



Gary H. Fechter

cc: Cheryl Goodman
Kelu Sullivan, Esq. by email