

TTAB

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

IN THE MATTER OF TRADEMARK REGISTRATION NO. 2,444,673  
Registered April 17, 2001

BOYDS COLLECTION, LTD.,  
Petitioner,

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Cancellation No. 92,040,811

JAMES M. OWENS,  
Registrant,

Registration No.: 2,444,673

**TRIAL ORDER**



12-15-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

THIS MATTER coming to be heard by Agreement of the parties:

Whereby the parties are in settlement negotiations in this matter;

Whereby the parties wish to extend the discovery deadline by thirty (30) days;

Whereby attached is an agreed motion to Extend Discovery Period.

IT IS HEREBY ORDERED THAT

1. Discovery is extended 30 days to January 16, 2004.

2. The trial dates, including the close of discovery, are reset as follows:

The period for discovery to close: January 16, 2004

30-day testimony period for party in position of  
plaintiff to close: April 14, 2004

30-day testimony period for party in position of  
defendant to close: June 14, 2004

15-day rebuttal testimony period for plaintiff to close: July 28, 2004

\_\_\_\_\_  
Date

\_\_\_\_\_  
TTAB Interlocutory Attorney

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BOYDS COLLECTION, LTD., Petitioner,	)	Cancellation No. 92,040,811
	)	
	)	
JAMES M. OWENS, Registrant,	)	<u>Registration No.: 2,444,673</u>
	)	

**AGREED MOTION TO  
EXTEND DISCOVERY PERIOD**

Petitioner, Boyds Collection, Ltd. (hereafter "Petitioner") and Registrant, James M. Owens, (hereafter "Registrant") pursuant to 37 C.F.R. § 2.121(d), request an extension of the discovery period for a period of thirty (30) days, such that the discovery period shall now terminate on January 16, 2004. In support thereof, Petitioner and Registrant state as follows:

A. Petitioner and Registrant are negotiating the process of conducting discovery.

WHEREFORE, Petitioner and Registrant respectfully request that the Trademark Trial and Appeal Board grant an extension of thirty (30) days of the discovery period for this cancellation proceeding.

Respectfully Submitted,

JAMES M. OWENS, Registrant

THE BOYDS COLLECTION LTD, Petitioner

By: 

Marsha G. Gentner, Esq.  
JACOBSON HOLMAN PLLC  
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Washington, D.C. 20004  
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By: 

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Attorney for Registrant

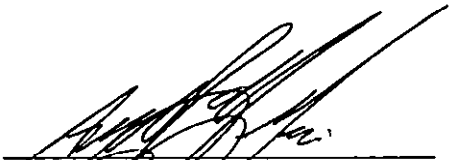
Attorney for Petitioner

Date: December 15, 2003

**CERTIFICATE OF SERVICE:**

I hereby certify that a true and correct copy of Petitioner's Agreed Motion to Extend Discovery Period was served upon Marsha G. Gentner, of Jacobson Holman PLLC, located at 400 Seventh Street, N.W., Washington, D.C., 20004, via United States First Class Mail on this 15th day of December 2003.

By:

  
Albert Y. Tsui (Reg. No. 51,066)  
CHERSKOV & FLAYNIK  
20 N. Wacker Drive, Suite 1447  
Chicago, IL 60606  
(312) 621-1330

Dated: December 15, 2003

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**EXPRESS MAIL CERTIFICATE**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service on **December 15, 2003** with sufficient postage as EXPRESS Mail to Addressee, per 37 CFR §1.10 in an envelope addressed to: Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, VA 22202-3513.

Albert Y. Tsui  
Name of Sender

  
(Signature of Albert Y. Tsui)

December 15, 2003  
(Date of Signature)

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<b>JAMES M. OWENS,</b>	)	<u>Registration No.: 2,444,673</u>
<b>Registrant,</b>	)	

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