

TTAB

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

In the Matter of Registration No. 2,448,395
For the Mark DIGGER
Date Registered May 1, 2001



01-27-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #30

CAROL IHLENBURG, a U. S. Citizen,)
)
) Petitioner,)
)
) V.)
)
) ROSSIGNOL SKI COMPANY, INC.,)
) a Delaware corporation,)
)
) Registrant.)

Cancellation No. 92041264

STIPULATED MOTION TO EXTEND REGISTRANT'S TIME TO FILE
RESPONSE TO PETITION TO CANCEL AND TO EXTEND DISCOVERY,
TESTIMONY AND TRIAL DATES

Registrant, Rossignol Ski Company, Inc., requests an extension of time of sixty (60) days through and including March 23, 2003 to respond to Petitioner's Petition to Cancel Trademark Registration No. 2,448,395 for the mark DIGGER.

Petitioner's attorney, Nancy Moriarty, consented to this request on January 23, 2003.

The parties have agreed to this extension to allow additional time to discuss a possible settlement of this matter.

Registrant's counsel and Petitioner's counsel have also agreed to an extension of all discovery, testimony and trial deadlines as follows:

Ca

REG. NO.: 2,448,395
TRADEMARK: DIGGER

Discovery period to open: March 2, 2003
Discovery period to close: September 1, 2003
30-day testimony period for party
in position of plaintiff to close: November 29, 2003
30-day testimony period for party
in position of defendant to close: January 28, 2004
15-day rebuttal testimony period
for plaintiff to close: March 12, 2004

Respectfully submitted,

COOPER & DUNHAM LLP

By Peter D. Murray
Peter D. Murray
Attorney for Opposer
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New York, New York 10036
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I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an
envelope addressed to:
Assistant Commissioner for Trademarks,
2900 Crystal Drive
Arlington, Virginia 22202-3515
Peter D. Murray
Name of Applicant, Assignee or Registered
Representative

Peter D. Murray
Signature
1-23-03
Date of Signature

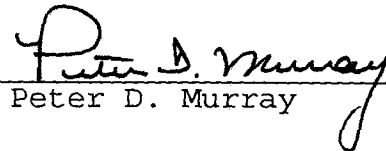
REG. NO.: 2,448,395
TRADEMARK: DIGGER

CERTIFICATE OF SERVICE

I hereby certify that the foregoing STIPULATED MOTION TO EXTEND REGISTRANT'S TIME TO FILE RESPONSE TO PETITION TO CANCEL AND TO EXTEND DISCOVERY, TESTIMONY AND TRIAL DATES was served on Petitioner's attorney by depositing a copy of same with the U. S. Mail, first class, postage prepaid, addressed to:

Nancy J. Moriarty, Esq.
Chernoff, Vilhauer, McClung & Stenzel, LLP
1600 ODS Tower, 601 S.W. Second Avenue
Portland, OR 97204-3157

this 23rd day of January, 2003.


Peter D. Murray