

TTAB

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

Taiyo Kogyo Co., Ltd.,  
Petitioner,  
v.  
Leynian Ltd. Co.  
Registrant.

Cancellation No. 92041571

08-01-2003  
U.S. Patent & TMO/c/TM Mail Rcpt DL #22

Attn.: TTAB — No Fee  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**STIPULATED MOTION TO EXTEND DISCOVERY PERIOD  
AND TESTIMONY PERIODS**

Petitioner, TAIYO KOGYO CO., LTD., requests an order extending the discovery period for thirty days, and rescheduling the trial dates in the above-identified opposition proceeding as follows:

- |   |                    |
|---|--------------------|
| Discovery period to close   | September 25, 2003 |
| Testimony period for Petitioner to close<br>(opening thirty days prior thereto) | December 23, 2003  |
| Testimony period for Registrant to close<br>(opening thirty days prior thereto) | February 22, 2004  |
| Rebuttal testimony period to close<br>(opening fifteen days prior thereto)      | April 7, 2003      |

On July 20, 2003, John Tutunjian, counsel for Registrant LEYNIAN LTD. CO., consented to this motion by telephone. This is the first extension of the trial dates requested by

Cancellation No. 92041571

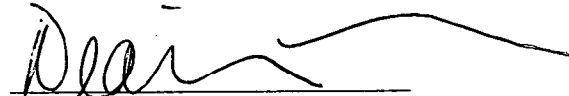
the parties. Petitioner respectfully submits that the foregoing motion is not interposed for purpose of delay, and Petitioner respectfully moves for an order rescheduling trial dates in this proceeding.

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: July 30, 2003

By:



Diane J. Mason  
Attorneys for Petitioner

Four Embarcadero Center  
Suite 3400  
San Francisco, CA 94111  
415-781-1989  
1116756

#### CERTIFICATE OF MAILING

I hereby certify that an original and two copies of this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Trademarks, BOX TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202 on *July 30, 2003*

Signed: *Lisa Jeanetta*

Lisa Jeanetta

05/02/2003 11:40

**PROOF OF SERVICE BY MAIL**

I, Lisa Jeanetta, certify and declare as follows:

I am over the age of 18, and not a party to this action. My business address is Dorsey & Whitney LLP, Four Embarcadero Center, Suite 3400, San Francisco, California 94111.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 30, 2003, at my place of business at San Francisco, California, a copy of the following documents: STIPULATED MOTION TO EXTEND DISCOVERY PERIOD AND TESTIMONY PERIODS was placed for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to:

John G. Tutunjian  
14 Vanderverter Avenue, Suite 128  
Port Washington, NY 11050

Attorney for Registrant, Leynian Ltd. Co., and such envelope was placed for collection and mailing on July 30, 2003 following ordinary business practices.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 30, 2003 at San Francisco, California.

Signed: Lisa Jeanetta  
Lisa Jeanetta