

In the United States Patent and Trademark Office Before the
Trademark Trial and Appeal Board

PEI Licensing, Inc.,

Petitioner,

v.

C. L. Swanson Corporation,

Registrant.

Cancellation No. 92042224
Registration No. 2,724,293
Mark: PENITENTIARY PENGUIN

TTAB

Box TTAB No Fee
Asst. Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513



08-16-2004

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

CONSENTED MOTION FOR EXTENSION OF TESTIMONY PERIODS

Petitioner, PEI International, Inc., by and through its undersigned attorneys, requests that the Commissioner of the Trademark Trial and Appeal Board ("TTAB") grants this motion for an extension of the testimony periods and as it basis states as follows:

1. For the past several months, the parties explored the potential for settling this matter. All attempts have been unsuccessful.
2. Petitioner's testimony period expires August 13, 2004.
3. As a result of delays due to settlement efforts, and otherwise, the parties have agreed to a thirty (30) day extension of the testimony periods in which to continue the discovery in these proceedings.

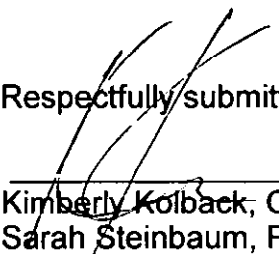
Wherefore, Petitioner requests that TTAB grant a thirty (30) day extension of the testimony periods as follows:

Opposer's Testimony Period to close September 13, 2004

Applicant's Testimony Period to close November 12, 2004
(Opening 30 days prior thereto)

Rebuttal Testimony Period to close November 26, 2004
(opening 15 days prior thereto)

Respectfully submitted,

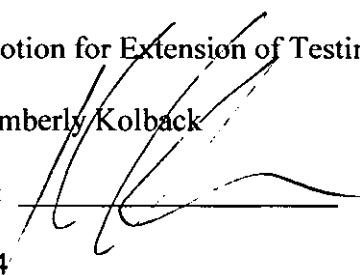


Kimberly Kolback, Of Counsel
Sarah Steinbaum, P.A.
Counsel for Petitioner, PEI International, Inc.
44 West Flagler Street, Suite 2175
Miami, FL 33130

I HEREBY CERTIFY that the document named below is being served and deposited on August 13, 2004 with the U.S. Mail, with sufficient pre-paid postage, in an envelope addressed to: Assistant Commissioner for Trademarks, BOX T.T.A.B.-NO FEE, 2900 Crystal Drive, Arlington VA 22201-3513 and counsel of record for Registrant, Anthony Tomaselli, Quarles & Bradly, One South Pinckney Street, Post Office Box 2113, Madison, Wisconsin 53701-2113.

Name of Document: Motion for Extension of Testimony Period.

Name of Depositor: Kimberly Kolback

Signature of Depositor: 

Dated: August 13, 2004