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

Proceeding	92043340
Party	Defendant SPIRITS INTERNATIONAL N.V. SPIRITS INTERNATIONAL N.V. 700 ANDERSON HILL ROAD PURCHASE, NY 10577
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Submission	Motion to Extend
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Date	03/07/2007
Attachments	Scanned Respondent_s Motion for Extension of Time to Respond 3_7_07.PDF (4 pages)(128354 bytes)

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

A.V. Imports, Inc. Petitioner, v. Spirits International, N.V., Respondent and Registrant.	Cancellation No.: 92043340

RESPONDENT'S MOTION FOR AN EXTENSION OF TIME TO RESPOND TO PETITIONER'S OBJECTIONS TO THE WRITTEN QUESTIONS TO BE PROPOUNDED IN TESTIMONIAL DEPOSITIONS ON WRITTEN QUESTIONS, AND TO RESPOND TO PETITIONER'S OBJECTIONS TO NOTICE OF TESTIMONIAL DEPOSITIONS, ON WRITTEN QUESTIONS, OF MIKHAIL TSYPLAKOV

Respondent and Registrant Spirits International, N.V. ("SPI"), through counsel and pursuant to Fed. R. Civ. P. 6(a) and 37 C.F.R. § 2.124(d)(1), and for good cause shown, hereby moves for an extension of time of one week (from March 7, 2007 to March 14, 2007) to serve its responses to the objections served by Petitioner A.V. Imports, Inc. ("A.V. Imports") on February 20, 2007, to the written testimonial deposition questions to be propounded by SPI to Alexey Oliynik, Oleg Goussev, and Mikhail Tsyplakov. SPI also moves for an extension of time of two (2) days (from March 12, 2007 to March 14, 2007) to serve its response to A.V. Imports' February 20, 2007 objections to the Notice of Testimonial Deposition, Upon Written Questions, of Mikhail Tsyplakov, pursuant to the terms of the Board's order dated March 6, 2007.

In support of this motion, SPI states the following:

1. On February 20, 2007, A.V. Imports served, by U.S. Mail, its objections to the written questions SPI proposed to propound to Messrs. Olyinik, Goussev, and Tsyplakov. Pursuant to 37 C.F.R. § 2.124(d)(1), SPI's responses to such objections were to be served on or before March 7, 2007 (ten days following A.V. Imports' service on February 20, plus five additional days due to service by means other than hand delivery).

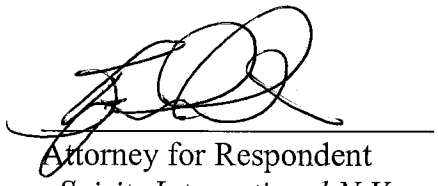
2. In the days immediately preceding SPI's March 7 deadline, SPI's undersigned counsel received, in connection with another matter for another client unrelated to this proceeding, a series of voice-mail messages from an opposing party and his cohorts, threatening significant physical violence to SPI's undersigned counsel and, implicitly, to his family. These threats have, of necessity, resulted in a significant diversion of SPI's counsel's ability to prepare appropriate responses to A.V. Imports' objections, as such counsel has been required to devote substantial attention to responding appropriately to those threats and to ensuring his and his family's personal security. Under such circumstances, it is submitted that good cause exists for an extension of time of one week (from the original March 7 deadline to March 14, 2007) for SPI to serve its responses.

3. In addition, on March 6, 2007, the Board issued an order granting SPI the time period countenanced by 37 C.F.R. § 2.127(a) (i.e., fifteen days, plus five additional days due to service by means other than hand delivery), to respond to A.V. Imports' February 20, 2007 objections to the notice of testimonial depositions, upon written questions, of Mr. Tsyplakov. The original deadline for SPI to respond is therefore March 12, 2007. Given the circumstances described above, and the extension of time requested for SPI to respond to A.V. Imports' objections to the proposed written questions, SPI believes that good cause exists to extend the aforementioned March 12 deadline by two (2) days (to March 14, 2007),

such that all deadlines for SPI to respond to A.V. Imports' various objections will occur simultaneously.

WHEREFORE, SPI respectfully requests that the instant motion, and the relief requested herein, be granted.

This 7th day of March, 2007.



Attorney for Respondent
Spirits International N.V.

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CERTIFICATE OF SERVICE

The undersigned, attorney for Respondent, hereby certifies that he caused to be served, by first class mail, postage prepaid, a copy of the foregoing **RESPONDENT'S MOTION FOR AN EXTENSION OF TIME TO RESPOND TO PETITIONER'S OBJECTIONS TO WRITTEN QUESTIONS TO BE PROPOUNDED IN TESTIMONIAL DEPOSITIONS ON WRITTEN QUESTIONS, AND TO RESPOND TO PETITIONER'S OBJECTIONS TO NOTICE OF TESTIMONIAL DEPOSITIONS, ON WRITTEN QUESTIONS, OF MIKHAIL TSYPLAKOV** upon:

Andrew C. Aitken, Esq.
Venable LLP
575 7th Street N.W.
Washington, D.C. 20004

This 7th day of March, 2007.

William M. Bryner
Attorney for Respondent

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