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Filing date: **01/17/2007**

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

Proceeding	92043985
Party	Defendant Lisane Aesthetics, Inc. Lisane Aesthetics, Inc. 16902 MILLIKAN AVENUE IRVINE,, CA 926065012
Correspondence Address	J. Mark Holland J. Mark Holland & Associates 3 San Joaquin Plaza, Suite 210 Newport Beach, CA 92660 UNITED STATES office@jmhlaw.com
Submission	Motion to Extend
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Date	01/17/2007
Attachments	MotiontoExtendDiscovery1-17-2007.pdf (3 pages)(67700 bytes)

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

Wella Aktiengesellschaft, Petitioner, v. Lisane Aesthetics, Inc., Registrant.	Cancellation No. 92043985 In re Registration No. 1910985 Mark: MAGMATHERAPY Registration Date: August 15, 1995
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Stipulated Motion to Extend Discovery Periods

Pursuant to the TTAB's December 1, 2006 Order, the Close of Discovery was set for 12/23/2006, with the deposition of Mr. Zu'bi to take place no later than 12/21/06, and Respondent's responses to Petitioner's interrogatories and document production requests to be served, by 12/21/06.

A Stipulated Motion to Extend Discovery Periods was filed on December 14, 2006 (and re-filed on January 1, 2007) requesting that the Close of Discovery be set for January 22, 2007, with the deposition of Mr. Zu'bi to take place no later than 1/20/07, and Respondent's responses to Petitioner's interrogatories and document production requests to be served, by 1/20/07. That re-filed Motion has been entered on the TTABVUE Trademark Trial and Appeal Board Inquiry System as of January 9, 2007, but the parties have not yet received approval for same.

In the meantime, Registrant, Lisane Aesthetics, Inc., and Petitioner, Wella Aktiengesellschaft, request that the dates of the recently filed Stipulated Motion to Extend Discovery Periods be further extended, with the Close of Discovery to be set for February 21, 2007, the deposition of Mr. Zu'bi to take place no later than 2/19/07, and Respondent's responses to Petitioner's interrogatories and document production requests to be served by 2/19/2007, and that all subsequent dates be reset accordingly.

The grounds for this request are that the parties are still engaged in settlement discussions. This request is not intended for the purpose of delay.

On or about January 16, 2007, the parties conferred about the extension, and agree to the following amended deadline dates:

Deadline to take Deposition of Mr. Zu'bi,
and serve Registrant's Responses to
Petitioner's Interrogatories and
Document Production Requests: February 19, 2007

Discovery Period To Close: February 21, 2007

Thirty-day testimony period for party in
position of plaintiff to close: May 22, 2007

Thirty-day testimony period for party in
position of defendant to close: July 21, 2007

Fifteen-day rebuttal testimony period
to close: September 4, 2007

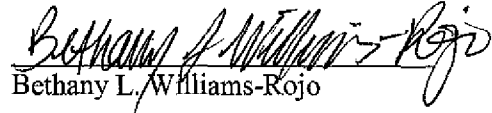
STIPULATED AND AGREED:

<p>Lisane Aesthetics, Inc., Registrant</p> <p>Date: <u>1/17/07</u></p> <p>By: <u>J. Mark Holland</u> J. Mark Holland J. Mark Holland & Associates 3 San Joaquin Plaza, Suite 210 Newport Beach, California 92660 Telephone: 949-718-6750</p> <p>Attorney for Registrant</p>	<p>Wella Aktiengesellschaft, Petitioner</p> <p>Date: <u>1/17/07</u></p> <p>By: <u>M. John Carson</u> M. John Carson, Esq. Fulbright & Jaworski, L.L.P. 555 South Flower Street Forty-First Floor Los Angeles, CA 90071 Telephone: 213-892-9200</p> <p>Attorney for Petitioner</p>
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CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing **Stipulated Motion Extend Discovery Periods** has been sent this 17th day of January, 2007, to John Carson, Esq., Miles Yamanaka, Esq., Gregory B. Wood, Esq., Fulbright & Jaworski, L.L.P., 555 South Flower Street, Forty-First Floor, Los Angeles, CA 90071, the attorneys for Petitioner, via U.S. Mail.


Bethany L. Williams-Rojo