

ESTTA Tracking number: **ESTTA34731**

Filing date: **06/02/2005**

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

Proceeding	92044046
Party	Defendant NATURE'S WAY PRODUCTS, INC. NATURE'S WAY PRODUCTS, INC. 10 MOUNTAIN SPRINGS PARKWAY SPRINGVILLE, UT 84663
Correspondence Address	NATURE'S WAY PRODUCTS, INC. 10 MOUNTAIN SPRINGS PARKWAY SPRINGVILLE, UT 84663
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Robyn L. Phillips
Filer's e-mail	rphillips@wnlaw.com, blarsen@wnlaw.com
Signature	/Robyn L. Phillips/
Date	06/02/2005
Attachments	004 Stip Mot Extend.pdf (3 pages)

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

In the matter of United States Registration No. 1,578,596
Date of Issue: January 23, 1990
Mark: EXTRENERGY

AGRIGENIC FOOD CORPORATION,)	Cancellation No. 92,044,046
Petitioner,)	
v.)	STIPULATED MOTION FOR
NATURE'S WAY PRODUCTS, INC.,)	EXTENSION OF DISCOVERY
Registrant.)	AND TESTIMONY PERIODS

Registrant Nature's Way Products, Inc., and Petitioner Agrigenic Food Corporation respectfully move for a ninety (90) day extension of the discovery and testimony periods. This extension is necessary to allow the parties to continue to discuss the outstanding settlement proposal and to engage in continuing settlement discussions. Petitioner has been contacted regarding the present stipulation and the undersigned certifies that all parties agree to the new dates set forth below. Registrant's attorney has been authorized to submit this document on behalf of, and with the consent of, both parties to this Cancellation proceeding.

Discovery Period is to close: October 16, 2005

Testimony Period for Party in
Position of Plaintiff to Close
(Opening thirty days prior thereto) January 14, 2006

Testimony Period for Party in
Position of Defendant to Close
(Opening thirty days prior thereto) March 15, 2006

Rebuttal Testimony Period to Close
(Opening fifteen days prior thereto) April 29, 2006

DATED this 2nd day of June, 2005.



Robyn L. Phillips, Reg. No. 39,330

WORKMAN NYDEGGER

1000 Eagle Gate Tower

60 East South Temple

Salt Lake City, Utah 84111

Attorney for Registrant

Nature's Way Products, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **STIPULATED MOTION FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS** was served on Petitioner by mailing a true copy thereof to its record, by First Class Mail, postage prepaid, this 2nd day of June, 2005, in an envelope addressed as follows:

Robert G. Kavanaugh
ARIGENIC FOOD CORPORATION
5152 Bolsa Avenue, Suite 101
Huntington Beach, California 92649-1047

A handwritten signature in cursive script, reading "Robert Phillips", written over a horizontal line.

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