

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

FPP-3392-128



THE MEYER RESOURCE GROUP, INC., )

Petitioner, )

v. )

HILTON HEAD ISLAND PERFORMANCE )  
GROUP, INC., )

Registrant. )

Cancellation No. 92046070

76/585,329

**Box TTAB NO FEE**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**MOTION TO EXTEND TESTIMONY PERIODS**

Petitioner, The Meyer Resource Group, Inc., through its attorney, hereby requests that the testimony periods in the above-identified cancellation proceeding be extended for a period of one (1) month as follows:

30-day testimony period for party in position of plaintiff to close: June 7, 2007

30-day testimony period for party in position of defendant to close: August 6, 2007

15-day rebuttal testimony period to close: September 20, 2007

At the present time, the testimony period for Petitioner opens on April 7 and closes on May 7, 2007. The reason for the requested extension is that the undersigned attorney for Petitioner has to appear as an expert witness in a civil action involving \_\_\_\_\_



service mark infringement and other issues in Las Vegas, Nevada during the week of, April 9, 2007, and also will be attending the annual meeting of the International Trademark Association (INTA) during the week of April 30-May 3, 2007. With these activities already scheduled, it would be very difficult for Petitioner's attorney to prepare for and conduct deposition testimony on behalf of Petitioner in the present cancellation proceeding during the current testimony period scheduled for April 7 to May 7, 2007. It is anticipated that deposition testimony will be taken on behalf of Petitioner in Waco, Texas. Accordingly, Petitioner's attorney may not have sufficient time to prepare for and conduct this testimony and also to handle his day to day activities in the time remaining in the current testimony period.

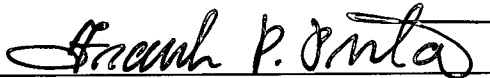
Petitioner's attorney contacted Registrant's attorney by telephone on March 6, 2007 and requested her consent to an extension of the testimony periods. On March 8, 2007, Petitioner's attorney received an email from Registrant's attorney informing him that Registrant was unwilling to consent to the requested extension.

Since the requested extension is not for the purpose of delay and is believed to be necessary to provide Petitioner's attorney with adequate time to arrange for and

conduct the anticipated deposition testimony for Petitioner, it is requested that the Board approve the extension of the testimony periods set forth herein.

Respectfully submitted,


**The Meyer Resource Group, Inc.**

Dated: March 13, 2007 By: 

Frank P. Presta  
Attorney for Petitioner  
NIXON & VANDERHYE P.C.  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing "MOTION TO EXTEND TESTIMONY PERIODS" was served on counsel for Registrant, Monica Talley, Esq., Finnegan, Henderson, Farabow, Garrett & Dunner, 901 New York Avenue, N.W., Washington, DC 20001-4413, by first-class mail this 13<sup>th</sup> day of March, 2007.



Frank P. Presta