

ESTTA Tracking number: **ESTTA309868**

Filing date: **10/06/2009**

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

Proceeding	92051039
Party	Plaintiff SWIMC, Inc.
Correspondence Address	Deron A. Cook, Reg. No. 52,767 c/o The Sherwin-Williams Company 101 W. Prospect Avenue , 1100 Midlan Bldg - Legal Dept Cleveland, OH 441151075 UNITED STATES legal_ip@sherwin.com
Submission	Other Motions/Papers
Filer's Name	Deron A. Cook
Filer's e-mail	legal_ip@sherwin.com
Signature	/Deron A. Cook/
Date	10/06/2009
Attachments	9438.motion to extend.2.PDF ( 3 pages )(45379 bytes )

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

<b>SWIMC, Inc.</b>	)		
	)	Petitioner,	
v.	)		<b>Cancellation No. 92051039</b>
	)		
<b>PROFESSIONAL COATINGS, INC.</b>	)		
	)	Registrant.	

BOX TTAB  
Commissioner for Trademarks  
PO Box 1451  
Arlington, VA 22313-1451

**MOTION TO EXTEND DEADLINES – WITH CONSENT**

Counsel for Petitioner, SWIMC, Inc., having secured verbal consent to this motion from Registrant’s counsel, respectfully moves the Board to extend the following deadlines by sixty (60) days - to the dates provided:

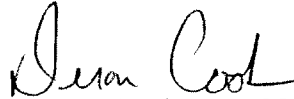
Initial Disclosures Due	12/16/2009
Expert Disclosures Due	4/15/2010
Discovery Closes	5/15/2010
Plaintiff’s Pretrial Disclosures	6/29/2010
Plaintiff’s 30-day Trial Period Ends	8/13/2010
Defendant’s Pretrial Disclosures	8/28/2010
Defendant’s 30-day Trial Period Ends	10/12/2010
Plaintiff’s Rebuttal Disclosures	10/27/2010
Plaintiff’s 15-day Rebuttal Period Ends	11/26/2010

The parties are actively working toward settlement of this matter and have conferred several times to discuss and develop a proposed framework for settlement. This request for an extension of time is not intended for purposes of delay, but to allow the parties additional time to focus their efforts toward reaching an acceptable settlement.

Petitioner's previous motion for an extension of time, filed on September 16, 2009, was denied on September 29, 2009, having been deemed premature. The present motion is believed to be timely.

Respectfully submitted,

SWIMC, INC.

A handwritten signature in black ink, appearing to read "Deron Cook". The signature is written in a cursive style with a large initial "D".

Deron A. Cook, Reg. No. 52,767  
Attorney for Petitioner

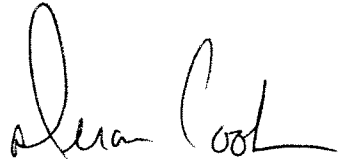
October 6, 2009  
c/o The Sherwin-Williams Company  
101 W. Prospect Avenue  
1100 Midland Bldg. – Legal Dept.  
Cleveland, OH 44115-1075  
Phone: (216) 566-3047  
Fax: (216) 515-4400  
Email: legal\_ip@sherwin.com

**CERTIFICATE OF SERVICE**

A copy of the foregoing MOTION TO EXTEND DEADLINES – WITH  
CONSENT was mailed by United States Mail, postage prepaid to:

Dennis B. Haase, Esq.  
PO Box 6206  
Hot Springs, AR 71902

Attorney for Registrant on this 6th day of October, 2009.

  
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Deron A. Cook