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

Proceeding	92057655
Party	Plaintiff Diversified Industries, Inc.
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Submission	Motion to Extend
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Signature	/s/ Kerri Chewning
Date	12/21/2015
Attachments	113579022_1.pdf(11354 bytes )

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

**In the Matter of Trademark Registration No.: 3836016**

**Registered on the Principal Register on Aug. 17, 2010**

<b>DIVERSIFIED INDUSTRIES INC.,</b>	:	<b>Cancellation No. 92057655</b>
	:	<b>Serial No. 77738220</b>
<b>Petitioner,</b>	:	<b>MARK ECOSTEP</b>
	:	
v.	:	I hereby certify that this submission and
	:	all marked attachments, if any, is being electronically
	:	filed with the Trademark Trial and Appeal Board
<b>A&amp;B HARDWOOD FLOORING</b>	:	through their website located at <a href="http://estta.uspto.gov">http://estta.uspto.gov</a>
<b>SUPPLIES, INC.,</b>	:	on December 21, 2015.
	:	
<b>Registrant.</b>	:	<u>/s/ Kerri E. Chewning</u>
	:	KERRI E. CHEWNING, ESQUIRE

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**STIPULATED MOTION TO EXTEND THE TIME FOR  
PETITIONER'S OPENING BRIEF**

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Petitioner, Diversified Industries, Inc. ("Diversified"), by and through its counsel hereby moves for a thirty day extension of time to file its opening trial brief in this matter. Diversified's opening trial brief is currently due on December 20, 2015 (adjusted to Dec. 21, 2015) pursuant to the Order dated November 30, 2015.

Pursuant to 37 C.F.R. § 2.116(a), Fed. R. Civ. P. 6(b) and TMBP § 509.01 good cause exists for the requested extension because the parties have agreed to the material terms of an amicable resolution of this matter are exchanging signatures on the final Settlement Agreement. This makes compliance with the December 20th date impractical and an unnecessary use of attorney time and expense.

In light of the exchange of a settlement agreement to a resolution, additional time for the filing of the opening trial brief would be appropriate as it is fully anticipated that this matter will be resolved.

Please be advised that counsel for A&B consents to this motion.

Therefore, Petitioner respectfully requests the Board enter an order granting Petitioner a 30 day extension to file its opening trial brief and setting a new schedule as follows:

Petitioner's Opening Trial Brief: Thirty days from the date of the Board's Order.

Respondent's Trial Brief: Thirty days from the date of Petitioner's filing.

Petitioner's Reply Brief Fourteen days from the date of Respondent's filing.

Respectfully submitted,

ARCHER & GREINER  
A Professional Corporation  
*Attorneys for Petitioner*  
*Diversified Industries, Inc.*

By: /s/ Kerri E. Chewning  
KERRI E. CHEWNING, ESQUIRE

Dated: December 21, 2015.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **STIPULATED MOTION TO EXTEND THE TIME FOR PETITIONER'S BRIEF** was served on counsel for the Registrant, this 21st day of December, 2015, by sending the same via U.S. First Class mail, postage prepaid, and emailed to:

Daniel N. Christus  
McDermott Will & Emery LLP  
227 West Monroe Street  
Chicago, Il 60606-5096

*Email: dchristus@mwe.com*

By: /s/ Kerri E. Chewning  
KERRI E. CHEWNING, ESQUIRE