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Filing date: **12/14/2012**

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

Proceeding	94002554
Party	Applicant Mission Hospital Regional Medical Center
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Submission	Stipulated/Consent Motion to Extend
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Date	12/14/2012
Attachments	2012-12-14 Stip to Extend.pdf (4 pages)(28890 bytes)

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

In the Matter of United States Trademark Application:

Mark: MISSION HOSPITAL
Applicant: Mission Hospital Regional Medical Center
Application No.: 77/648,715
Published: August 24, 2010

**MISSION HOSPITAL REGIONAL
MEDICAL CENTER,**

Concurrent Use Applicant,

v.

MISSION HEALTH SYSTEM, INC.,

**Concurrent Use Registrant and
Concurrent Use User.**

**CONCURRENT USE
PROCEEDING NO.: 94002554**

STIPULATION FOR EXTENSION OF TIME

COMES NOW Concurrent Use Applicant Mission Hospital Regional Medical Center (“Applicant”) and Concurrent Use Registrant and User Mission Health System, Inc. (“Registrant”), by and through their counsel of record, and requests that the Board extend the time for Applicant to serve the copy of its application as is required by TBMP § 1106.04 to December 13, 2012. In support of this request, Applicant states as follows:

1. Applicant initially filed U.S. Trademark Application No. 77/648,715 on or about January 13, 2009 for its mark MISSION HOSPITAL in International Class 044 (the “Application”).
2. Applicant filed the Application as a concurrent use application within the meaning of TBMP § 1101.01 *et seq.* and identified Registrant as the other concurrent user.
3. Applicant’s Application was published for opposition on August 24, 2010 and no opposition was received to Applicant’s Application.

4. Since the time of the publication, no further action has taken place with regard to the Application.

5. In the meantime, however, Applicant has retained new counsel.

6. On or about November 25, 2012, the Board instituted the instant action and provided notice of said action to Applicant's prior counsel of record.

7. It was not until December 11, 2012, however, that Applicant's prior counsel notified Applicant of this proceeding. At that time, Applicant immediately notified its new counsel (the undersigned) of the pendency of this proceeding.

8. Pursuant to TBMP § 1106.04, Applicant was required to provide a copy of the Application to Registrant within ten (10) days of this proceeding being instituted by the Board. In this case, those documents were to have been served by Wednesday, December 5, 2012.

9. Because Applicant and its new counsel were not made aware of this action until after that timeframe, however, Applicant was unable to timely serve the Application as required by TBMP § 1106.04.

10. Upon learning of this proceeding, Applicant executed a new Power of Attorney in favor of the undersigned and his law firm and the undersigned entered their appearances on December 12, 2012.

11. In addition, the undersigned set a telephone conference with Registrant's counsel for December 13, 2012.

12. At that telephone conference, counsel for Registrant indicated that he would consent to an extension of time for Applicant to serve the Application to and including December 14, 2012.

13. Applicant, in fact, has already served the Application by electronic mail on December 13, 2012, and will serve said documents by mail on December 14, 2012.

14. As such, Applicant requests and Registrant stipulates that the time for Applicant to serve its Application be extended to and including December 14, 2012.

15. This is Applicant's first request for the extension of any deadline.

16. This request for extension will not prejudice Registrant or any other party or non-party to this action.

17. This request for extension is not made for dilatory purposes and is not the result of the neglect of any party.

WHEREFORE, Applicant request that that the time for Applicant to serve its Application be extended to and including December 14, 2012.

Dated: December 14, 2012

Respectfully submitted,

POLSINELLI SHUGHART PC

By: /John M. Challis/

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*Attorneys for Concurrent Use Applicant
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading was served by Electronic Mail and United States Mail, postage prepaid, this 14th day of December 2012, to:

Brian M. Davis, Esq.
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*Attorneys for Concurrent Use Registrant
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/ John M. Challis /