

Exhibits

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



07-19-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

In re Trademark Application of

Proxim, Inc.

Mark: HARMONY

Serial No.: 75/746284

Filed: July 8, 1999

Attorney Docket No.: 034421-86

Examining Attorney:

Stacey B. Wahlberg, Esq.

Law Office 113

Assistant Commissioner of Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

BOX TTAB - NO FEE

TRADEMARK TRIAL AND
APPEAL BOARD
02 JUL 24 AM 8:33

**REQUEST FOR REMAND FOR CONSIDERATION OF
ALLEGATION OF USE AND ADDITIONAL EVIDENCE**

Applicant hereby requests the Trademark Trial and Appeal Board remand this application to the Examining Attorney for consideration of the Allegation of Use attached as Exhibit A hereto and additional evidence of third party registrations, attached as Exhibit B hereto. In light of the transfer of this matter from the law firm of Burns Doane Swecker & Mathis LLP to Thelen Reid & Priest LLP and the filing of the Allegation of Use, Applicant has good cause for this request. Applicant requests suspension of action on this appeal pending the Examining Attorney's decision thereon.

Should the Board deny the above request for suspension, Applicant requests an extension of time of 60 days to file its reply brief in this matter.

Applicant also requests that the correspondence address for applicant be updated as follows to reflect counsel's change in law firm:

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Marlene J. Williams
Thelen Reid & Priest LLP
Attorneys for Applicant
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Respectfully submitted,

THELEN REID & PRIEST LLP

Dated: July 16, 2002

By



Robert E. Krebs
Marlene J. Williams
Attorneys for Applicant
Proxim, Inc.
P.O. Box 190187
San Francisco, CA 94119-0187

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this Request for Remand for Consideration of Allegation of Use and Additional Evidence, along with the Allegation of Use (Exhibit A) and Request for Consideration of Allegation of Use and Additional Evidence and 24 attachments thereto (Exhibit B) is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Trademarks, BOX TTAB – NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on July 16, 2002.


June Rimer

7/16/02
Date

TTAB

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July 16, 2002

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Re: Request for Remand for Consideration of Allegation of Use and
Additional Evidence
Applicant: Proxim, Inc.
Mark: HARMONY
Serial No. 75/746284
Our Ref: 034421-86

Dear Sirs:

Enclosed is a Request for Remand for Consideration of Allegation of Use and Additional Evidence mailed July 16, 2002. Also enclosed is:

- (1) Allegation of Use (Exhibit A);
- (2) Request for Consideration of Allegation of Use and Additional Evidence and 24 attachments thereto (Exhibit B); and
- (3) A stamped, self-addressed postcard to date stamp, acknowledge receipt and return to Applicant's attorneys

The Commissioner for Trademarks is authorized to charge any additional fee required in this application to Deposit Account No. 50-0918 of Thelen Reid & Priest.

Sincerely,

Marlene J. Williams

MJW/jr
Enclosures
SF #672124 v1