

TTAB

TROUTMAN SANDERS LLP

ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

401 9TH STREET, N.W. - SUITE 1000
WASHINGTON, D.C. 20004-2134
www.troutmansanders.com
TELEPHONE: 202-274-2950

Jeffrey L. Harvey
jeffrey.harvey@troutmansanders.com
Not Admitted in D.C.

Direct Dial: 202-274-2914
Fax: 202-654-5676

TRADEMARK TRIAL AND
APPEAL BOARD
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July 26, 2002

Commissioner of Trademarks
United States Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Box TTAB
Arlington, Virginia 22202



RE: Second Request for Extension of Time to Oppose a Trademark ("Request")

Dear Commissioner:

Pursuant to Section 1503.04 of the Trademark Manual of Examining Procedure ("TMEP") and Section 202 of the Trademark Trial and Appeal Board Manual of Procedure ("TMBP"), the following parties/entities request an additional thirty (30) day extension to file opposition to the registration of "CRU-THIK" (Serial No. 76044824), a trademark published for opposition on May 21, 2002: Allen Iverson, Joseph Prince and CRU-THIK, L.L.C. ("Opposers").

As set forth in TMEP Section 1503.04 and TBMP Section §207.02, an additional extension (following the initial extension) may be granted upon a showing of *good cause*. In that regard, certain of the Opposers were unavoidably detained following recent incidents in Philadelphia, Pennsylvania (see attached article). Consequently, Opposers would respectfully request an additional thirty (30) days to file their Notice of Opposition.

I have enclosed two copies of this request in accordance with TMEP Section 1503.04 and TMBP Section 201. Please contact me directly should you have any questions or comments regarding this Request.

Respectfully submitted,

Jeffrey L. Harvey, Esq.

Enclosures

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Iverson Is Arrested

76ers Star's Preliminary Hearing Set for Next Week

By Rachel Nichols
 Washington Post Staff Writer
 Wednesday, July 17, 2002; Page D01

PHILADELPHIA, July 16 -- Allen Iverson didn't speak much today. There was nary a word to the supportive fans who gathered outside the Philadelphia police station where Iverson turned himself in at dawn this morning on felony gun charges for allegedly storming into his cousin's apartment and threatening two men while looking for his wife.



Allen Iverson, in the back seat covering his face, leaves his home early Tuesday morning to surrender to authorities in Philadelphia. (Douglas M. Bovitt - AP)

Even the bail commissioner who handled Iverson's preliminary arraignment 11 hours after Iverson first entered police custody got no more than a "yes" over a closed-circuit television hookup when he decreed that Iverson could be released if he signed a guarantee of \$10,000 that he would show up at his preliminary trial hearing next week.

But while Iverson sat virtually silent in a baggy white shirt during the five-minute hearing this afternoon, his attorney spoke loudly enough for both of them, declaring the 27-year-old "a very strong and definite not guilty." And while the district attorney's office had no official opportunity to present its side of the case, it released a series of police affidavits alleging Iverson's threats.

The affidavits depict a more specific version of the events set in motion when Iverson allegedly threw his wife, Tawanna, out of their house during a fight on July 1 and culminated late the next night when he and

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his uncle, Gary Iverson, 39, allegedly barged into his cousin Shaun Bowman's apartment, looking for Iverson's wife and Bowman but instead finding Charles Jones, 21, and Hakim Carey, 17.

The affidavits describe Jones's account to police that Iverson threatened he and Carey by pulling up his shirt to show them a black semi-automatic handgun in his waistband and telling them "I'm about to do something." Iverson then allegedly forced Jones to call Tawanna and then allegedly asked her "Where are you at? I'm about to hurt somebody. You better tell me where the [expletive] you are at. Do you think I'm playing? I'm going to make a [expletive] example out of him."

Both Jones and Carey also told police that Iverson wiped off both the apartment phone and Jones's cell phone with his shirt before leaving, proclaiming "either I'm going to die or I'm going to jail, and I guarantee you I'm not going to die."

Tawanna Iverson has since returned to the \$2.4 million red-brick suburban mansion she shares with Iverson, and police searches have yet to yield the weapon described to police. But Jones's and Carey's statements were enough for police to issue charges of assault, making terroristic threats and carrying a gun without a license. The charges carry a maximum sentence of more than 50 years, although lawyers not involved in the case don't expect Iverson to serve jail time even if convicted, and those who are involved aren't even sure the case will advance to trial.

"He's totally innocent," Richard Sprague, the powerhouse attorney Iverson hired to represent him in this case, said today. A former prosecutor who once worked as special counsel to the Congressional committee investigating the shootings of John F. Kennedy and Martin Luther King Jr., Sprague used to work with the current district attorney, Lynn Abraham, and is considered a major force in Philadelphia justice circles.

It was Sprague who brokered the terms of Iverson's surrender to police, which occurred around 5:30 a.m. Iverson, traveling in a caravan of SUVs and minivans, was whisked into an underground entrance. He and his uncle, who also turned himself in this morning, were held separately from the city's other detainees. "He's a high profile individual and the commissioner felt that for Mr. Iverson's safety and liability, they have to keep him separately," said a police spokesman.

As police fingerprinted Iverson and photographed his face and, as is procedure, each of his tattoos, a mob of media and a smattering of supportive fans lingered outside the station. A group of children from Iverson's neighborhood set up a lemonade stand, selling drinks and snacks for 76 cents. Others carried signs and wore T-shirts proclaiming "Free Iverson."

Iverson, meantime, went through additional standard police processing, which includes police asking if he has enough money to afford an attorney and inquiring about his past criminal history. While the first question likely evoked a quick answer -- Iverson reportedly makes \$13.5 million a year -- the second reply might have taken longer.

As a 17-year-old, Iverson was convicted of maiming by mob for his alleged participation in a bowling alley brawl. He served four months before the governor of Virginia commuted his sentence; two years later a court of appeals overturned the conviction entirely. In 1997, police pulled over Iverson's car. Iverson was not driving, but a gun and a small amount of marijuana were found in the vehicle. Iverson was sentenced to two years of probation, community service and monthly drug testing.

It is unclear what penalties Iverson might suffer in this case, but by the time he appeared via closed-circuit television in the courtroom of bail commissioner Abraham Polokoff late this afternoon he appeared drawn and tired. Sitting in a tiny concrete-block room at Philadelphia police headquarters, he did no more than once answer "yes" to Polokoff, who approved a prearranged deal that Iverson sign a bond for \$10,000 -- \$5,000 for each of the sets of charges filed against him. The agreement did not require Iverson to actually pay the \$10,000, just promise it to the courts if he does not show up at future hearings.

Within minutes, he was released, this time in a green minivan that ferried him back to his suburban home. He maintained his silence to the house's front door, although plenty around him continued to lend their support on his behalf. His 76ers jersey, already the NBA's best selling, has been sailing off store shelves around Philadelphia this past week and tickets to the charity softball game he is sponsoring in Camden, N.J., this weekend also have been selling briskly.

Special correspondent Debbie Goldberg contributed to this report.

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