

scan

Attorney Docket: 819-7

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

In the Matter of  
Application Serial No. : 76/351,286  
Mark : LYDIAN  
Filing Date : December 14, 2001  
NOA Date : February 26, 2003

Box TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**Second Request for Extension of Time to File a Notice of Opposition**

Sir:

Lydian Capital Advisors, LLC., a Delaware corporation having its principal place of business at 495 Post Road East, Westport, Connecticut 06880, by and through its attorneys hereby respectfully requests that the Board grant a second thirty (30) day extension of time to file a Notice of Opposition in the above-identified matter.

The extension is requested because Lydian Capital Advisors, LLC. and the Applicant for the above-identified mark wish to conduct negotiations in connection with this matter.

This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Date: April 17, 2003

Respectfully submitted,  
THE MARTINEZ GROUP PLLC

By: \_\_\_\_\_

Frank J. Martinez  
Attorneys for Potential Opposer  
Lydian Capital Advisors, LLC.

THE MARTINEZ GROUP PLLC  
55 Poplar Street, Suite 1-D  
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New York 11201-6930  
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FROM: (PLEASE PRINT) THE MARTINEZ GROUP PLLC c/o J. Martinez, Esq. 50 Poplar Street, Suite 1-B Brooklyn, New York, NY 11210-3020 819-7	TO: (PLEASE PRINT) VVA TRAB NO PLLC Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22204-3513 ZIP + 4 2 2 2 0 2 + 3 5 1 3

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THE DATE STAMP OF THE UNITED STATES PATENT AND TRADEMARK OFFICE WILL ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

- Transmittal letter with Cert. Under 37 CFR 1.10(a)  
Express Mail Label No.: EU250761668545859226US
- Second Request for Extension of Time to File an Opposition, in Triplicate; and
- A postage-paid, pre-addressed return post card.

Potential Opposer : Lydian Capital Advisors, LLC.  
 Mark : LYDIAN  
 Serial No. : 76/351,286  
 Our Docket No.: : 819-7



04-17-2003

U.S. Patent & TMO/™ Mail Rcpt Ot. #22

**THE MARTINEZ GROUP PLLC**  
Attorneys and Counsellors in Intellectual Property Law55 POPLAR STREET, SUITE 1-D  
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MARK SBANTZOS  
REGISTERED PATENT AGENT

## AFFILIATED OFFICES

AUSTIN, TEXAS  
CHICAGO, ILLINOIS  
PORTLAND, OREGON  
LOS ANGELES, CALIFORNIA

June 5, 2003

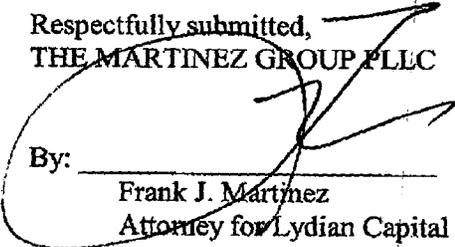
Via FacsimileMs. Lalita Greer, Legal Assistant  
Trademark Trial and Appeal Board  
Assistant Commissioner for Trademarks  
Arlington, Virginia 22202-3513Re: Second Request for Extension of Time  
to File a Notice of Opposition  
In Re: Application Serial No.: 76/351,286  
Mark: LYDIAN  
Attorney Docket: 819-77

Dear Ms. Greer:

Further to your instructions transmitted herewith are the following papers.

1. Our transmittal letter dated April 17, 2003;
2. Three (3) copies of our Second Request for Extension of Time to File a Notice of Opposition;
3. Copy of Express Mail Label No: EU250761668US; and
4. Copy of our Return Postcard bearing an April 17, 2003 date stamp from the U.S. Patent and Trademark Office.

Kindly accept and file the Second Request and extend the time to File an Opposition or a Request for an Extension of Time therefore until June 17, 2003. Thank you very much for your gracious assistance in this matter. Please feel free to contact me if you have any questions.

Respectfully submitted,  
THE MARTINEZ GROUP PLLCBy: 

Frank J. Martinez

Attorney for Lydian Capital Advisors LLC

**THE MARTINEZ GROUP PLLC**  
Attorneys and Counsellors in Intellectual Property Law

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OF COUNSEL  
MARK SGANTZOS  
REGISTERED PATENT AGENT

AFFILIATED OFFICES

AUSTIN, TEXAS  
CHICAGO, ILLINOIS  
PORTLAND, OREGON  
LOS ANGELES, CALIFORNIA

April 17, 2003  
Via US Express Mail

Box TTAB NO FEE

EU 250761668 US

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 2202-3513

Re: Second Request for an Extension of Time to File a Notice of Opposition  
In Re: Application Serial No. : 76/351,286  
Mark : LYDIAN  
Our Attorney Docket No. : 819-7

Sir:

Transmitted herewith in connection with the above identified matter are the following papers.

1. Second Request for an Extension of Time to File a Notice of Opposition, in Triplicate; and
2. A pre- addressed, postage-paid, return postcard.

Kindly file the Request and return the post card to us bearing the date stamp of the U.S. Patent and Trademark Office.

Respectfully Submitted,  
THE MARTINEZ GROUP PLLC

By: \_\_\_\_\_  
Frank J. Martinez  
Attorney for Potential Opposer  
Lydian Capital Advisors, LLC.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10(a)

I hereby certify that this correspondence and any documents referred to as enclosed herein are being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" mailing Label No. EU250761668US addressed to BOX TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington Virginia 22202-3513.

Dated: April 17, 2003

\_\_\_\_\_  
Frank J. Martinez

**THE MARTINEZ GROUP PLLC**  
ATTORNEYS AND COUNSELLORS IN INTELLECTUAL PROPERTY LAW

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**FACSIMILE MESSAGE**

DATE: June 5, 2003

FROM: Frank J. Martinez, Esq.

TO: Ms. Lalita Greer, Legal Assistant  
Trademark Trial and Appeal Board  
Assistant Commissioner for Trademarks  
Arlington, Virginia 22202-3513

FAX: 703-746-7139

**TOTAL PAGES: 7**

**MESSAGE**

Thank you.

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