

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of:<br><br>Metalicus Australia Pty. Ltd.<br><br>Serial No: 79/025,348<br><br>Filed: May 17, 2006<br><br>Published: May 15, 2007<br><br>Mark: METALICUS | <b>STIPULATED REQUEST FOR<br/>EXTENSION OF TIME TO FILE NOTICE<br/>OF OPPOSITION</b> |
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Commissioner for Trademarks  
Attn: Trademark Trial & Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Commissioner:

Potential Opposer, Metallica, and Applicant, Metalicus Australia Pty. Ltd. ("Applicant"), through their respective attorneys have agreed pursuant to 37 C.F.R. 2.102(c)(2), with the Board's approval, to an additional extension of time of 30 days to and including **October 12, 2007**, to file a Notice of Opposition against the above-referenced application.

Applicant's mark was published for Opposition in the Official Gazette on May 15, 2007.

**REMARKS**

Rule 2.102(c)(2) provides that extensions of time aggregating more than 120 days from the date of publication of the subject application will not be granted except upon (1) a written consent or stipulation signed by the applicant or its authorized

  
**09-17-2007**

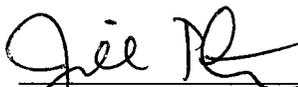
representative, (2) a written request by the potential opposer or its authorized representative stating that applicant or its authorized representative has consented to the request, or (3) a showing of extraordinary circumstances. As shown below, Mattel, Inc. has met the requirements of 37 C.F.R. 2.102(c).

The additional 30-day extension of time requested by this Stipulated Request was agreed to during a telephone conference on September 12, 2007, between Metallica's counsel's paralegal, and Applicant's counsel, Jacqueline Levasseur Patt. Thus, this request states that Applicant's counsel has agreed to the further extension in accordance with 37 C.F.R. 2.102(c)(2).

Accordingly, Metallica submits that it has complied with the requirements of 37 C.F.R. Rule 2.102(c) as shown above. This Stipulated Request is submitted in triplicate.

Respectfully submitted,

Dated: September 12, 2007

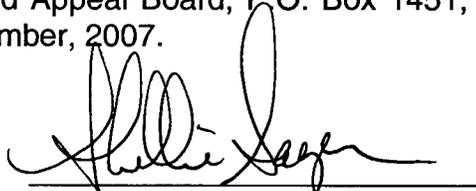


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Jill M. Pietrini  
Jessica Slusser  
MANATT, PHELPS & PHILLIPS  
11355 W. Olympic Blvd., 10th Fl.  
Los Angeles, California 90064  
(310) 312-4000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, in an envelope addressed to: Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on this 12th day of September, 2007.

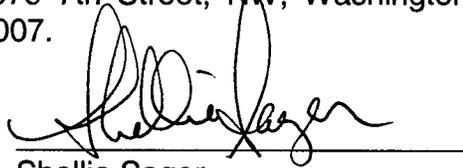


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Shellie Sager

CERTIFICATE OF SERVICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Jacqueline Levasseur Patt, Esq., Venable LLP, 575 7th Street, NW, Washington, D.C., 20004-1601, on this 12th day of September, 2007.

A handwritten signature in black ink, appearing to read "Shellie Sager", is written over a horizontal line.

Shellie Sager

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Respectfully submitted,

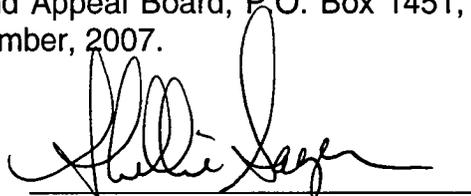
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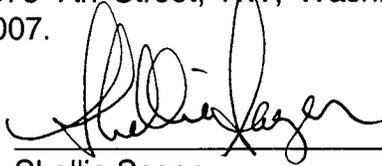
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Shellie Sager

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