

TTAB

**IN THE UNITED PATENT & TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

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CENTRAL MFG. CO.  
(a Delaware Corporation)  
P O Box 35189  
Chicago, IL 60707-0189

Opposition No: 91123765

Opposer,

Trademark: HYPERSONIC

vs.

PARAMOUNT PARKS, INC.  
8720 Red Oak Blvd.  
Charlotte, NC 28217

Applicant

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Box TTAB/NO FEE

04-13-2004

U.S. Patent & TMO/tm Mail Rcpt Dt. #22

**ATTN: CHIEF JUDGE DAVID SAMS ✕**

**ATTN: Angela Lykos, Interlocutory Attorney**

**OBJECTION TO APPLICANT'S ORAL REQUEST FOR  
A TELE-CONFERENCE TO DECIDE OPPOSER'S MOTION TO COMPEL**

NOW COMES the Opposer and states its objection to Applicant's request for a tele-conference to decide Opposer's Motion to Compel.

The Opposer on April 8, 2004, filed a Motion for Reconsideration of the Board order dated March 9, 2004; a Motion to Compel and an Amended Notice of Opposition via Express Mail to the Applicant.

At 9:30 a.m. on April 13, 2004, the representative of the Opposer, Leo Stoller, received a telephone call from Applicant's counsel, Lance Koonce, informing Leo Stoller that Mr. Koonce had a conversation with interlocutory attorney, Angela Lykos. Mr. Koonce stated that Ms. Lykos agreed to conduct a tele-conference today within the hour to decide Opposer's Motion to Compel which was filed on April 8, 2004.

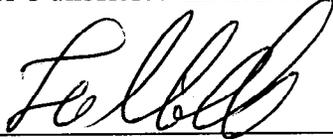
The Opposer strongly objects to participating in a tele-conference regarding its motion to compel filed on April 8, 2004, in view of the fact that the Opposer has also filed a Motion for Reconsideration of the Board order of March 9, 2004, which normally acts as a automatic stay even though the Board may not have issued a written order suspending this proceeding.

Secondly, Opposer objects to the "shotgun" tele-conference, in that the Applicant has not even filed a written request for a tele-conference with the Board and served it on the

Opposer. The Applicant has not even filed its written response to Opposer's motion to compel and the said motion to compel is not even fully briefed.

Lastly, the Opposer's schedule does not permit the Opposer's representative, Leo Stoller, to participate in any tele-conference this week. The Opposer asserts that prior to any tele-conference, the Applicant must file its brief in response to Opposer's motion to compel and the Opposer must be given time to file its reply. The Opposer has participated in several tele-conferences with Board members over the years, but has never been forced to participate in a tele-conference regarding a motion to compel which was not even fully briefed.

WHEREFORE, the Opposer prays that the Board not compel the Opposer to participate in the "shotgun" tele-conference regarding Opposer's unbriefed motion to compel.

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

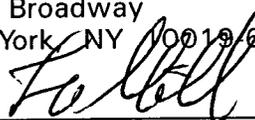
Leo Stoller  
CENTRAL MFG. CO., Opposer  
Trademark & Licensing Dept.  
P.O. Box 35189  
Chicago, Illinois 60707-0189  
773-283-3880 FAX 708 453-0083

Date: April 13, 2004

**Certificate of Service**

I hereby certify that this motion is being FAXED and deposited with the U.S. Postal Service by **Express Mail**  
**No: ER 695139397 US** in an express mail envelope addressed to:

Lacy H. Koonce  
Lance Koonce  
DAVIS WRIGHT TREMAINE LLP.  
1633 Broadway  
New York, NY 10019-6708



\_\_\_\_\_  
Leo Stoller

Date: April 13, 2004

**Certificate of Mailing**

I hereby certify that the foregoing motion is being FAXED and deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to:

Chief Judge David Samms  
Angela Lykos, Interlocutory Attorney  
TTAB/NO FEE  
Assistant Commissioner of Patents and Trademarks  
2900 Crystal Drive, Arlington, Virginia 22202-3513



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Leo Stoller

Date: April 13, 2004

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