

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

TTAB

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



07-30-2004

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

Box TTAB/NO FEE

MOTION FOR AN EXTENSION OF TIME

NOW COMES the Opposer and requests that the Board grant the Opposer thirty (30) days to respond to Applicant's Memorandum in Opposition to Opposer's Second Summary Judgment Motion, and states as follows:

The Applicant has raised new issues that must be responded to by the Opposer in order for the Board to make a just decision.

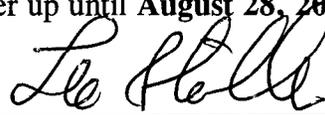
The Opposer has been engaged in drafting a Federal Circuit Appeal's brief in Leo Stoller v. Karen Ponce, Appeal No. 04-1305. Secondly, the Opposer is engaged in the testimonial period in the Central Mfg. Co. v. Sutech U.S.A., Inc., Case No. 117,894. The Opposer's representative, Leo Stoller, has the sole responsibility to responding to the pleadings in this case and all the other cases cited herein, including at least thirty other inter-party proceedings before the Board.

Leo Stoller at 3:00 p.m. on Friday, July 23, 2004, telephoned attorney for the Applicant, Lance Koonce. Mr. Koonce said he would not be able to give me a decision today as to whether or not his client would concede to an extension. Mr. Koonce stated that based upon the Opposer's prior conduct in this proceeding, it would be unlikely as to whether his client would agree voluntarily to this extension. Mr. Koonce stated that the responsible party, Mallory Levitt, in-house counsel for the Applicant is out of the office for a week and that Mr.

Koonce would have to locate another in-house representative of the Applicant.

In view of the fact that Applicant's counsel is unable to give the Opposer a stipulation to this request for an extension, the Opposer is requesting that the Board grant this request.

The Opposer respectfully asserts that the Petitioner cannot be prejudiced by this extension and requests that the Board allow the Opposer up until **August 28, 2004** to respond.

By: 

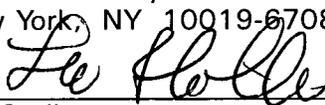
Leo Stoller
CENTRAL MFG. CO., Opposer
Trademark & Licensing Dept.
P.O. Box 35189
Chicago, Illinois 60707-0189
773-283-3880 FAX 708 453-0083

Date: July 27, 2004

Certificate of Service

I hereby certify that this *Motion for An Extension of Time* is being deposited with the U.S. Postal Service by in an express mail envelope addressed to:

Lacy H. Koonce
Lance Koonce
DAVIS WRIGHT TREMAINE LLP.
1633 Broadway
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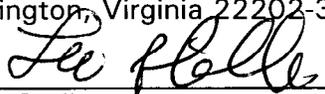

Leo Stoller

Date: July 23, 2004

Certificate of Mailing

I hereby certify that the foregoing *Motion for An Extension of Time* is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to:

TTAB/NO FEE
Assistant Commissioner of Patents and Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513


Leo Stoller

Date: July 23, 2004

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Lacy H. Koonce
Lance Koonce
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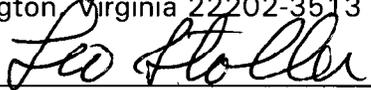
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Leo Stoller

Date: July 27, 2004

LAWYERS



Davis Wright Tremaine LLP

ALBANY, N.Y. ALBUQUERQUE, N.M. ANCHORAGE, ALASKA ARIZONA ARKANSAS CALIFORNIA COLORADO CONNECTICUT DELAWARE DISTRICT OF COLUMBIA FLORIDA GEORGIA ILLINOIS IOWA KANSAS KENTUCKY LOUISIANA MAINE MARYLAND MASSACHUSETTS MICHIGAN MINNESOTA MISSISSIPPI MISSOURI MONTANA NEBRASKA NEVADA NEW HAMPSHIRE NEW JERSEY NEW YORK NORTH CAROLINA NORTH DAKOTA OHIO OKLAHOMA OREGON PENNSYLVANIA RHODE ISLAND SOUTH CAROLINA SOUTH DAKOTA TENNESSEE TEXAS UTAH VERMONT VIRGINIA WASHINGTON, D.C. WISCONSIN WYOMING

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July 26, 2004

Via Fax and U.S. Postal Express Mail

Mr. Leo Stoller
Hypersonic Brand Products and Services
and Central Manufacturing Co.
P.O. Box 35189
Chicago, IL 60707-0189

**Re: Central Mfg. Co. v. Paramount Parks Inc.,
 Trademark Trial and Appeal Board Opposition No. 91123765**

Dear Mr. Stoller:

I have spoken to our client regarding your request for an extension of time to reply to Paramount's memorandum opposing Central's second motion for summary judgment. As I explained to you on Friday, given the number of motions filed by Central that are currently pending, and the long delays in this proceeding caused by Central's previous motions, Paramount is not inclined to agree to any more extensions of time without good cause. In this instance, you have stated that the reason Central requires more time to file its reply is because you currently have too many other TTAB proceedings pending that require immediate attention for you to devote the requisite attention to this reply. Paramount does not believe this constitutes a sufficient justification for further delay in *this* proceeding, and thus respectfully cannot agree to any such extension.

Very truly yours,

Lance Koonec

LK/lp

cc: Mallory D. Levitt, Esq. (via fax)

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

Mailed: July 27, 2004

Opposition No. 91159950

Central Mfg. Co.

v.

Premium Products Inc.

Karen Kuhlke, Attorney:

On July 27, 2004, at 12:00 pm EDT, the Board held a telephone conference between Jay Spiegel, counsel for applicant, Leo Stoller, pro se for opposer, and the Board attorney responsible for resolving interlocutory matters in this case.

The Board attorney convened the telephone conference upon applicant's request to address the issue of opposer's motion to extend its time to respond to applicant's motion for discovery under Fed. R. Civ. P. 56(f).

Upon careful consideration, the Board finds good cause to grant a limited extension until August 20, 2004.

In view thereof, opposer's response to applicant's motion for discovery under Rule 56(f) is due August 20, 2004.