

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

Intel Corporation,

Opposer,

v.

Jacqueline Halliday Diaz,

Applicant.

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§

Opposition No. 124,223

Serial No.: 76/135,006

Subject Mark: SURPRISE INSIDE



02-10-2003

U.S. Patent & TMO/c/TM Mail Rpt Dt. #30

**FURTHER STIPULATED REQUEST FOR  
EXTENSION OF DISCOVERY AND TESTIMONY PERIODS**

Opposer, Intel Corporation, through its undersigned attorney, with the consent of Applicant, hereby requests that all remaining discovery and testimony periods in this proceeding be extended by sixty (60) days.

The parties' discovery is not yet complete due in part to the fact the parties are continuing their discussions towards a possible resolution of this matter. Therefore, it is requested that the deadlines be extended as follows:

Discovery period to close:	5/10/03
Testimony Period for Party in Position of Plaintiff to close (opening thirty days before):	8/9/03
Testimony Period for Party in Position of Defendant to close (opening thirty days before):	10/8/03
Rebuttal Testimony Period to close:	11/22/03

Counsel for Applicant, Neal O. Willmann, has consented to this extension request. For the foregoing reasons, the Board is requested to grant this stipulated extension.

Respectfully submitted,

INTEL CORPORATION

Date: February 6, 2003

By: 

Bobby A. Ghajar

**HOWREY SIMON ARNOLD & WHITE, LLP**

301 Ravenswood Avenue

Menlo Park, CA 94025

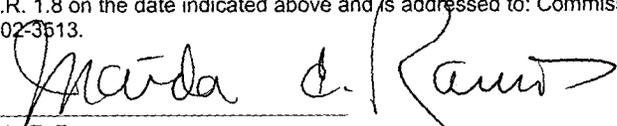
Attorneys for Opposer

**INTEL CORPORATION**

CERTIFICATE OF MAILING

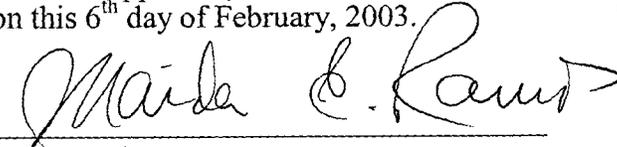
DATE OF DEPOSIT: February 6, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "U.S. First Class Mail" under 37 C.F.R. 1.8 on the date indicated above and is addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

  
Maida E. Ramos

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing "Further Stipulated Request for Extension of Discovery and Testimony Periods" was served on Counsel for Applicant, Neal O. Willmann, Esq., 9521 Montgomery Road, Cincinnati, OH 45242 on this 6<sup>th</sup> day of February, 2003.

  
Maida E. Ramos

TTAB



550 SOUTH HOPE STREET  
SUITE 1400  
LOS ANGELES, CA 90071-2627  
PHONE 213.892.1800  
FAX 213.892.2300

WRITER'S DIRECT MAIL PARTNERSHIP  
(213) 892-1840  
ghajarb@howrey.com

File No. 11357.0591.00US00



February 6, 2003

02-10-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #30

Via U.S. Mail

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



Re: *Further Stipulated Request for Extension of Discovery and Testimony Periods*  
*Mark: SURPRISE INSIDE*  
*Serial No.: 76/135,006*  
*Opposition No.: 124,223*

Dear Madam:

Enclosed for filing are:

1. This letter (in duplicate),
2. Further Stipulated Request for Extension of Discovery and Testimony Periods (duplicate);
3. A self-addressed stamped postcard to evidence receipt of this request.

Please return the enclosed postcard to evidence receipt of the above-referenced documents.

Very truly yours,

Bobby A. Ghajar

Enclosures

cc: Michele Huntzinger



\* N E W D O C \*

TTAB  
02-10-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #30

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: **Assistant Commissioner for Trademarks, Box No Fee, 2900 Crystal Drive, Arlington, VA 22202-3513**, on February 7, 2003, by:

*[Handwritten Signature]*

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

NEW BREED, INC., )

Opposer, )

Opposition No. 152,580

vs. )

CUTTING EDGE INVESTOR GROUP, INC., )

Applicant. )

Mark: NEW BREED WIRELESS

**CONSENTED MOTION TO EXTEND CLOSE OF DISCOVERY AND TESTIMONY PERIODS**

Opposer New Breed, Inc., pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, with the consent of Applicant, and for good cause shown, hereby moves that the Board extend the close of the discovery period and the testimony periods in the above-captioned proceeding by ninety (90) days, and reset such periods as follows:

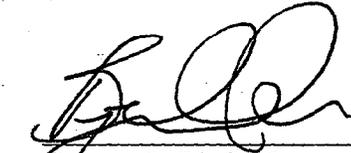
- THE PERIOD FOR DISCOVERY TO CLOSE: June 8, 2003
- Testimony period for party in position of plaintiff to close (opening thirty days prior thereto): September 6, 2003
- Testimony period for party in position of defendant to close (opening thirty days prior thereto): November 5, 2003
- Rebuttal testimony period to close (opening fifteen days prior thereto): December 20, 2003

*[Handwritten mark]*

In support of this Motion, Opposer shows the Board that the parties been actively engaged in written discovery in this matter, but need the requested extension of time to complete such written discovery, and to prepare for and take additional discovery through depositions.

Counsel for Applicant, John L. Welch, Esq., has orally consented to this Motion in a telephone conversation with counsel for Opposer on February 7, 2003.

This the 7<sup>th</sup> day of February, 2003.



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George L. Little, Jr.  
William M. Bryner

Attorneys for Opposer

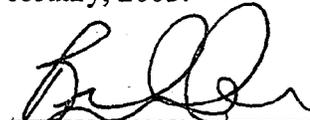
KILPATRICK STOCKTON LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
Telephone: (336) 607-7300

CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing **CONSENTED MOTION TO EXTEND CLOSE OF DISCOVERY AND TESTIMONY PERIODS** upon counsel of record by causing a copy thereof to be deposited with the United States Postal Service addressed as follows:

John L. Welch  
Charles E. Weinstein  
Foley, Hoag & Eliot LLP  
155 Seaport Boulevard  
Boston, MA 02210

This the 7<sup>TH</sup> day of February, 2003.

  
\_\_\_\_\_  
William M. Bryner  
Attorney for Opposer

KILPATRICK STOCKTON LLP  
1001 West Fourth Street  
Winston-Salem, North Carolina 27101  
Telephone: (336) 607-7300

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WINLIB01:991640.1