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Filing date: **07/30/2004**

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

Proceeding	91125743
Party	Defendant UGI HAVC ENTERPRISES, INC.
Correspondence Address	BARBARA L. DELANEY PEPPER HAMILTON LLP 3000 TWO LOGAN SQUARE EIGHTEENTH AND ARCH STREETS PHILADELPHIA, PA 19103-2799
Submission	Motion for Entry of Stipulated Addendum to May 22, 2003 Protective Order
Filer's Name	Barbara L. Delaney
Filer's e-mail	delaneyb@pepperlaw.com,wrightp@pepperlaw.com
Signature	/barbaraldelaney/
Date	07/30/2004
Attachments	Motion for Entry of Stipulated Add Prot Order.PDF (6 pages)

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

THE SERVICEMASTER COMPANY,	:	
	:	
Opposer/Petitioner,	:	Opposition No.: 125,743
	:	Appln. Serial No. 76/237,328
	:	
v.	:	Opposition No.: 152,104
	:	Appln. Serial No. 76/166,568
	:	
	:	Cancellation No. 92/041,147
UGI HVAC ENTERPRISES, INC.	:	Registration No. 2,591,190
	:	
Applicant/Respondent.	:	

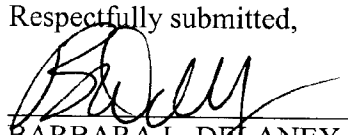
Commissioner of Trademarks
Box TTAB -- NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

MOTION FOR ENTRY OF STIPULATED ADDENDUM TO MAY 22, 2003 PROTECTIVE ORDER

Applicant and Respondent, UGI HVAC Enterprises, Inc., through its undersigned counsel, hereby moves the Board for an order entering the enclosed Addendum. The Addendum has been executed by the parties and their respective counsel and is meant to apply to the

consolidated proceedings. Accordingly, the parties request the Board's approval and move the Board for an order entering the Addendum.

Respectfully submitted,



BARBARA L. DELANEY
Pepper Hamilton LLP
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799
(215) 981-4000

Dated: July 30, 2004

Attorneys for Applicant/Respondent
UGI HVAC Enterprises, Inc

CERTIFICATE OF SERVICE

I, Paula Anne Wright, hereby certify that on July 30, 2004, I caused a true and correct copy of the foregoing Motion for Entry of Stipulated Addendum to May 22, 2003 Protective Order to be served via First Class Mail to:

P. Jay Hines, Esquire
Oblon, Spivak, McClelland, Maier
& Neustadt, P.C.
1940 Duke Street
Alexandria, Virginia 22314
Counsel for Opposer,,
The Servicemaster Company

By: _____
Paula Anne Wright

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

THE SERVICEMASTER COMPANY,	:	
	:	
Opposer/Petitioner,	:	Opposition No.: 125,743
	:	Appln. Serial No. 76/237,328
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	:	
	:	Cancellation No. 92/041,147
UGI HVAC ENTERPRISES, INC.	:	Registration No. 2,591,190
	:	
Applicant/Respondent.	:	

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STIPULATED ADDENDUM TO MAY 22, 2003 PROTECTIVE ORDER

Pursuant to the Stipulation of all parties to this action for the entry of an Addendum to the May 22, 2003 Protective Order pursuant to Rule 26 of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED THAT:

1. The May 22, 2003 Stipulated Protective Order between the two parties is amended to include an "ATTORNEYS' EYES ONLY" designation whereby a party may designate information "ATTORNEYS' EYES ONLY" based upon a good faith belief that the information constitutes or contains the designating party's highly sensitive confidential information which, if made available directly to a party, may place the designating party at a competitive disadvantage because said information relates to the designating party's: sales

strategies, marketing strategies, distribution strategies, technical knowledge, or financial information.

2. Materials or information designated by any party as "ATTORNEYS' EYES ONLY" shall be restricted to the following persons on behalf of the receiving party:

a. The law firms of Oblon, Spivak, McClelland, Maier & Neustadt P.C.; Pepper Hamilton LLP; their employees, and any independent photocopying, duplication or litigation support service hired for the purpose of aid in this litigation;

b. Court personnel, mediators, and stenographic reports, engaged in such proceeding as are necessarily incident to the proceeding.

c. No more than two (2) independent, outside experts who are reasonably necessary to assist counsel for each party in this proceeding, as well as the experts' employees and staff.

d. Such other persons as may be agreed between counsel for the parties.

3. Except as expressly provided herein, the term "CONFIDENTIAL" as used in the May 22, 2003 Protective Order shall now be defined to include documents designated as either "CONFIDENTIAL" or "ATTORNEYS' EYES ONLY."

4. The May 22, 2003 Protective Order shall remain in full force and effect, and this Addendum shall be treated and considered as an integrated part of the agreement.

Entered this _____ day of _____, 2004.

_____
TTAB Board

P. Jay Hings, Esquire
Oblon, Spivak, McClelland, Maier & Neustadt, P.C.
1755 Jefferson Davis Highway, Fourth Floor
Arlington, Virginia 22202

Attorneys for Opposer/Petitioner
The ServiceMaster Company

Barbara L. Delaney
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799
(215) 981-4000

Attorneys for Applicant/Respondent
UGI HVAC Enterprises, Inc.