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

In the matter of application Serial No. 75/813,380 published in the *Official Gazette* at TM449  
on June 19, 2001 for the mark LABCAST.

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INNOVATIVE PROGRAMMING ASSOCIATES, INC.

Opposer,

vs.

VARIAN, Inc., formerly known as,  
VANKEL TECHNOLOGY GROUP,

Applicant.  
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Opposition No. 91150161

U.S. Patent & TMO/c/TM Mail Rcpt. Dt. #57



08-27-2002

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TRADEMARK TRIAL AND  
APPEAL BOARD

**STIPULATED MOTION FOR A 15 DAY EXTENSION FOR PLAINTIFF TO  
RESPOND TO DEFENDANT'S MOTION FOR INVOLUNTARY DISMISSAL  
FOR FAILURE TO TAKE TESTIMONY**

The parties in the above captioned matter hereby request that the due date for Plaintiff's response to Defendant's "Motion for Involuntary Dismissal for Failure to Take Testimony" be extended for 15 days. The new due date will be September 12, 2002. This request is not for the purpose of delay. Plaintiff requires additional time to prepare a response due to vacation schedules.

The requested extension has been agreed to during a phone call on August 19, 2002 between Defendant's counsel, Roy Gordet, and Plaintiff's counsel, Charles Manero and is not for any improper purpose or delay. Accordingly, favorable action is respectfully requested.

Respectfully submitted,

*Charles Manero*

Charles F. Manero, Esq.  
Attorney for Opposer

Date: August 27, 2002

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CERTIFICATE OF MAILING

I hereby certify that the enclosed documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, Box: TTAB - No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513

Date of Deposit: AUG 27, 2002

Name of Person Depositing correspondence: Charles F. Manero, Esq.

Signature: Charles Manero

Date of Signature: 8/27/02

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Stipulated Motion for a 15 Day Extension for Plaintiff to Respond to Defendant's Motion for Involuntary Dismissal for Failure to Take Testimony was served upon the Attorney for Applicant this 27<sup>th</sup> day of August 2002 by U.S. First Class Mail, postage prepaid as follows:

Roy S. Gordet  
530 Bush Street, Suite 601  
San Francisco, CA 94108

Dated: 8/27/02

Charles Manero  
Charles F. Manero, Esq.  
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