

B

TRADEMARK
Docket No. 032236.2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Advent Networks, Inc.

Mark: ADVENT NETWORKS

Serial No.: 76/033,895

Filing Date: April 26, 2000

**REVOCATION OF POWER OF ATTORNEY AND
POWER OF ATTORNEY UNDER 37 C.F.R. § 2.19**

BOX TTAB - NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

BPH Trademark Group
DOCKETED
FEB 15 2002

Dear Sir:

Applicant hereby revokes all previous powers of attorney and appoints

Rochelle D. Alpert, Carla B. Oakley, Samuel G. Goodstein, Leslie C. McKnew,

Clark T. Thiel, Ronit M. Alcheck, Clarissa E. Marischen and any and all attorneys at

Brobeck, Phleger & Harrison LLP, all members of a bar of a state in the United States, as

its attorneys with full power of substitution and revocation, to prosecute the application to

register, and to transact all business in the Patent and Trademark Office in connection

therewith and to receive the Certificate of Registration.

FEB 11 '02 16:26 FR BROBECK 3

415 442 1010 TO 5784#099907#1000 P.10/14

Please direct all communications to:

Rochelle D. Alpert, Esq.
(Clarissa E. Marischen, Esq.)
Brobeck, Phleger & Harrison LLP
Spear Street Tower
One Market
San Francisco, CA 94105

Please direct all telephone calls to Clarissa Marischen at (512) 330-4199 or by email at cmarischen@brobeck.com.

2-12-02

Date

Irene Williams

Signature

512 241-8080

Telephone No.

Irene Williams, VP Legal

Print Name and Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Advent Networks, Inc.

Mark: ADVENT NETWORKS

Serial No.: 76/033,895

Filing Date: April 26, 2000

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

BOX TTAB – NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Sir:

I hereby certify that the attached Revocation of Power of Attorney and Power of Attorney and receipt verification postcard are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, VA 22202-3513, on February 14, 2002.

Respectfully submitted,

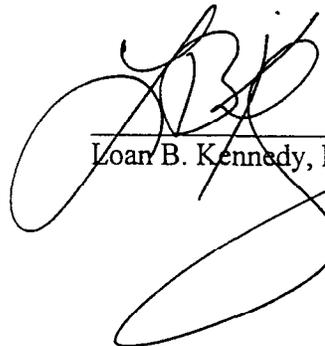

Jean Canedo

C

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION FOR SUMMARY JUDGMENT was served by first class mail, postage prepaid, this 30th day of October 2002, upon counsel for Applicant:

Irene Williams, Vice President Legal
ADVENT NETWORKS
9600 Great Hills Trail, Suite 300E
Austin, TX 78759



Loan B. Kennedy, Esq.



Brobeck

ATTORNEYS AT LAW

November 8, 2002

VIA FACSIMILE AND U.S. MAIL

Brobeck, Phleger & Harrison LLP
2000 University Avenue
East Palo Alto, California 94303
DIRECT 650.331.4157
FAX 650.331.8100
dlo@brobeck.com
www.brobeck.com

Loan B. Kennedy
Vice President and General Counsel
Recoton Corporation
2950 Lake Emma Road
Lake Mary, Florida 32746

BPH Trademark Group

DOCKETED

NOV 11 2002

Re: Opposition to ADVENT NETWORKS
Advent Networks, Serial No. 76/033895
Our reference: 032236.9040

Dear Loan:

I am writing to you to follow up with the voicemail message I left you earlier this week regarding the improper service of Recoton's summary judgment motion in the above referenced matter. As you know Brobeck is counsel of record before the Trademark Office not, Applicant, Advent Networks, service of Recoton's summary judgment motion should properly have been to served on Brobeck, attention Rochelle D. Alpert. Accordingly, Recoton's service of its summary judgment motion is flawed and ineffective.

Please contact me as soon as possible so that we may discuss this matter and set a mutually agreeable response due date. If I do not hear from you by November 12, 2002, we will have no choice but to advise the Trademark Office of the improper service.

Sincerely,

Denise Lo

BROBECK 4

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
08	11/08 17:23	4169#032236#9040#1407	EC--S	00'32"	002	209	OK
3338903#							

FACSIMILE TRANSMISSION
 Transmission problems: (650) 331-4157

November 8, 2002

Brobeck

ATTORNEYS AT LAW

Brobeck, Phleger & Hamison LLP
 2000 University Avenue
 East Palo Alto, California 94303
 PHONE 650.331.8000
 FAX 650.331.8100
 www.brobeck.com

PAGES TO FOLLOW COVER	1	USER ID	4169	CMID NUMBER	032236.9040
TO					
RECIPIENT	COMPANY	TELEPHONE	FAX		
Loan B. Kennedy	Recoton Corporation	(407) 333-0900	(407) 333-8903		
FROM					
SENDER	EMAIL	TELEPHONE	FAX		
Denise Lo	DLo@brobeck.com	(650) 331-4157	(650) 331-8100		
MESSAGE					

PRIVILEGED AND CONFIDENTIAL

All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and mail the original message to us at the above address.

RECOTON®LOAN B. KENNEDY
VP & General Counsel

November 11, 2002

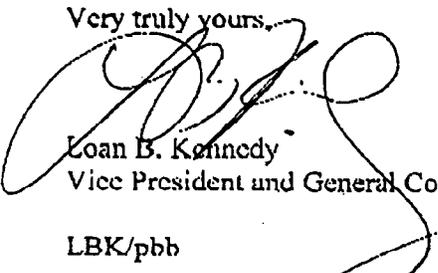
Via Facsimile No. 1-650-331-8100Denise Lo, Esq.
BROBECK, PHLEER & HARRISON LLP
2000 University Avenue
East Palo Alto, CA 94303Re: Opposition to ADVENT NETWORKS
Opposition No. 91150749

Dear Ms. Lo:

I am in receipt of your communication dated November 8, 2002, stating that your firm is representing Advent Networks, Inc. in this matter. You should be advised that until now all discussions and communications in this matter have been with Irene Williams at Advent Networks, Inc., who has represented herself to us as their legal counsel, and has never advised us that you represent them in this matter, nor has she copied you on any prior correspondence. Also note that the U.S. Patent and Trademark Office trademark record for ADVENT NETWORKS shows the correspondent to be Advent Networks, Inc. in Austin, Texas, and the opposition record shows Advent Networks, Inc. in Austin, Texas to be the correspondent in the opposition matter.

We would be happy to discuss matters with you when Advent Networks, Inc. advises us that you are their counsel in this matter.

Very truly yours,


Loan B. Kennedy
Vice President and General Counsel

LBK/pbb

cc: Irene Williams, V.P. - Legal
Advent Networks, Inc.

November 13, 2002

VIA FACSIMILE AND U.S. MAIL

Brobeck, Phleger & Harrison LLP
One Market
Spear Street Tower
San Francisco, California 94105
DIRECT 415.442.1104
FAX 415.442.1010
dlo@brobeck.com
www.brobeck.com

Loan B. Kennedy
Vice President and General Counsel
Recoton Corporation
2950 Lake Emma Road
Lake Mary, Florida 32746

BPH Trademark Group
DOCKETED
NOV 14 2002

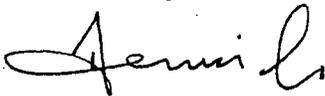
Re: Opposition to ADVENT NETWORKS
Advent Networks, Serial No. 76/033895
Our reference: 032236.9040

Dear Loan,

This is in response to your letter dated November 11, 2002 in which you incorrectly state that our firm is not counsel of record for Advent Networks, Inc. in these opposition proceedings. First, contrary to the claim in your letter, our firm was in fact appointed counsel of record for the opposed application by virtue of the Power of Attorney designating our firm as counsel of record filed on February 14, 2002. Second, even if no such power of attorney was filed, our firm clearly appeared on behalf of Advent Networks, Inc. in the opposition proceedings when it filed the Answer to Notice of Opposition for these proceedings on July 1, 2002. Indeed, not only was this Answer signed by Rochelle D. Alpert, but it was served on you as well. As such, it is clear that the summary judgment motion was not properly served on our client.

Under these circumstances, I look forward to speaking with you by Thursday, November 14, 2002 to discuss setting a mutually agreeable response due date. If I do not hear from you by that date, we will have no choice but to file an objection with the Trademark Trial and Appeals Board to your improperly served motion.

Sincerely,



Denise Lo

PAID

BROBECK 4

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
01	11/13 15:01	3948#032236#9040#1407	EC--S	00'35"	002	024	OK
		3338903#					

FACSIMILE TRANSMISSION

Transmission problems: (415) 979-2789

November 13, 2002

Brobeck

ATTORNEYS AT LAW

Brobeck, Phleger & Harrison LLP
 2000 University Avenue
 East Palo Alto, California 94303
 PHONE 650.331.8000
 FAX 415.442.1010
 www.brobeck.com

PAGES TO FOLLOW COVER	1	USER ID	3948	CMID NUMBER	032236.9040
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TO			
RECIPIENT	COMPANY	TELEPHONE	FAX
Loan B. Kennedy, Esq.	Recoton Corporation	+1 (407) 333-0900	+1 (407) 333-8903

FROM			
SENDER	EMAIL	TELEPHONE	FAX
Denise Lo	DLo@brobeck.com	(415) 442-1104	(415) 442-1010

MESSAGE

P R I V I L E G E D A N D C O N F I D E N T I A L

All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and mail the original message to us at the above address.

PROOF OF SERVICE BY MAIL

I, Dennis L. Labaria, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Francisco, California. I am over the age of 18 years and not a party to this cause. My business address is Brobeck, Phleger & Harrison LLP, Spear Street Tower, One Market, San Francisco, California 94105.

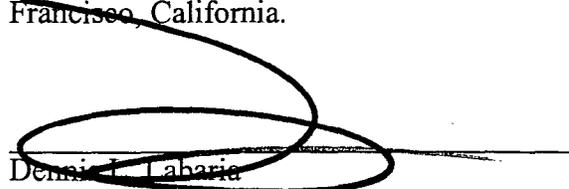
On November 15, 2002, I served a copy(ies) of the following document(s):

by placing them in a sealed envelope(s) addressed as follows:

Loan B. Kennedy, Esq.
Recoton Corporation
2950 Lake Emma Road
Lake Mary, FL 32746

I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Brobeck, Phleger & Harrison LLP, San Francisco, California. I am readily familiar with Brobeck, Phleger & Harrison LLP's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence (with postage fully prepaid) is deposited with the United States Postal Service the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 15, 2002, at San Francisco, California.


Dennis L. Labaria

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

RECOTON CORPORATION,

Opposer,

v.

ADVENT NETWORKS, INC.

Applicant.

Opposition No. 91150749

Serial No. 76/033,895

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

BOX TTAB NO FEE

Assistant Commissioner for Trademarks

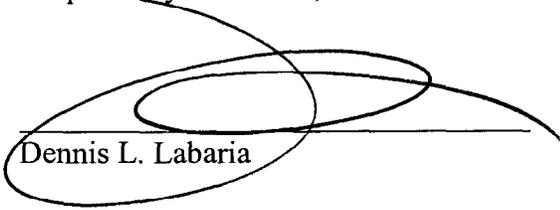
2900 Crystal Drive

Arlington, VA 22202-3513

Dear Sir:

I hereby certify that the attached objection to opposer's defective motion for summary judgment, declaration of leslie c. mcknew in support of objection to opposer's defective motion for summary judgment, exhibits (a and f), proof of service and receipt verification postcard are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, VA 22202-3513, on November 15, 2002.

Respectfully submitted,



Dennis L. Labaria