

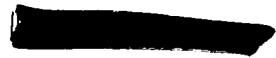
I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Trademark Trial and Appeal Board, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

February 12, 2004
Date

Annette Baca
Annette Baca

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

MICROSOFT CORPORATION,)	OPPOSITION NO. 91/154,797
)	
Opposer,)	Serial No. 76/156,933
)	
v.)	
)	
VALVERDE INVESTMENTS, INC.,)	Docket No. 669005.828
)	
Applicant.)	
_____)	



Trademark Trial and Appeal Board
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

02-17-2004
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

**OPPOSER MICROSOFT CORPORATION'S
OPPOSITION TO APPLICANT'S MOTION TO
JOIN ASSIGNEE AS PARTY DEFENDANT**

Opposer Microsoft Corporation hereby opposes the motion by Applicant Valverde Investments, Inc. ("Valverde") to join Conectron, Inc. ("Conectron") with Valverde as joint Applicants in this proceeding.

In order for an assignee to request or take action in a trademark matter, the assignee must establish its ownership of the trademark property to the satisfaction of the Director. 37 CFR 3.73(b)(1). To show that the person signing the submission is a person authorized to act on behalf of

the assignee, the submission establishing ownership must comply with 37 CFR 3.73 (b)(2). See also TBMP Section 512.01.

Valverde's motion fails to comply with 37 C.F.R. 3.73(b)(2), which states:

(b)(2) The submission establishing ownership must show that the person signing the submission is a person authorized to act on behalf of the assignee by:

(i) Including a statement that the person signing the submission is authorized to act on behalf of the assignee; or

(ii) Being signed by a person having apparent authority to sign on behalf of the assignee, e.g., an officer of the assignee.

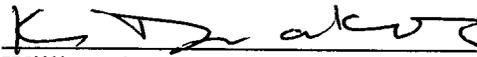
Neither Applicant's motion nor the attached assignment has been signed by the assignee, Conectron, or by a party authorized to act on behalf of the assignee. Opposer notes that Valverde's counsel filed the motion on behalf of Valverde and did not sign it on behalf of both the proposed joint Applicants, Valverde and Conectron.

Opposer requests that the requirements of 37 C.F.R. 3.73(b)(2) be met prior to joining Conectron as a party defendant in this proceeding.

For the reasons set forth above, the instant Motion to Join Assignee as Party Defendant should be denied.

DATED this 12th day of February, 2004.

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Attorneys for Opposer

MICROSOFT CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of February, 2004, the foregoing **OPPOSER MICROSOFT CORPORATION'S OPPOSITION TO APPLICANT'S MOTION TO JOIN ASSIGNEE AS PARTY DEFENDANT** was served upon Applicant by depositing same with the U.S. Postal Service, first-class postage prepaid, addressed as follows:

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