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

March 8, 2004

In the matter of Application  
Serial No. 76/156,933

Published in the Official Gazette  
on September 17, 2002

MICROSOFT CORPORATION, )  
 )  
 Opposer, )  
 )  
 v. )  
 )  
 VALVERDE INVESTMENTS, INC., )  
 )  
 Applicant. )  
 \_\_\_\_\_ )

Opposition No. 91154797



03-12-2004  
U.S. Patent & TMO/TM Mail Rcpt Dt. #21

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

**APPLICANT'S NOTICE OF FILING DECLARATION**  
**IN SUPPORT OF REPLY IN SUPPORT OF APPLICANT'S MOTION TO JOIN**  
**ASSIGNEE AS A PARTY DEFENDANT**

The Applicant hereby files this Declaration under 37 C.F.R. §3.73(b)(2) in support of Applicant's Reply in Support of Applicant's Motion to Join Assignee as a Party Defendant. The Applicant filed a Reply to Opposer's Opposition to Applicant's Motion to Join on February 27, 2004. When the Reply was filed the Applicant mistakenly failed to enclose the above mentioned declaration.

**WHEREFORE**, the Applicant hereby requests that the Trademark Trial and Appeal Board, in its discretion, accept this Declaration under 37 C.F.R. §3.73(b)(2) in support of the Applicant's Reply in Support of Applicant's Motion to Join Assignee as a Party Defendant, on the basis that this declaration is also submitted in an effort to clarify the issues under consideration, in accordance with 37 C.F.R. §2.127(a); See also Seculus da Amazonia S/s v. Toyota Jidosha Kabushiki Kaisha, 66 USPQ2d 1154, n.4 (TTAB 2003).

Respectfully submitted,

Date:

March 8, 2004

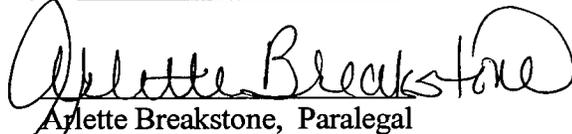


Barry L. Haley, Reg. No. 25,339  
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Attorneys for Applicant/Assignor,  
Valverde Investments, Inc., and  
Attorneys for Assignee, Conectron, Inc.

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that this APPLICANT'S NOTICE OF FILING DECLARATION IN SUPPORT OF REPLY IN SUPPORT OF APPLICANT'S MOTION TO JOIN ASSIGNEE AS A PARTY DEFENDANT 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, Attn: Box TTAB, 2900 Crystal Drive, Arlington, Virginia 22202, this 8<sup>th</sup> day of March, 2004.



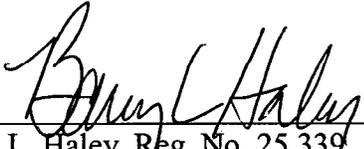
Arlette Breakstone, Paralegal

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the original of the foregoing **APPLICANT'S NOTICE OF FILING DECLARATION IN SUPPORT OF APPLICANT'S REPLY IN SUPPORT OF APPLICANT'S MOTION TO JOIN ASSIGNEE AS A PARTY DEFENDANT** in Opposition No. 91154797 is being deposited as First Class mail with the United States Postal Service in a postage-paid envelope addressed to: Assistant Commissioner for Trademarks, Attn: Box TTAB, 2900 Crystal Drive, Arlington, Virginia 22202; and a true and correct copy of same deposited with the United States Postal Service in a postage-paid envelope addressed to attorneys for Opposer:

William O. Ferron, Jr., Esq.  
SEED Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, WA 98104-7092  
Tel: (206) 622-4900  
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this 8<sup>th</sup> day of March, 2004.

  
\_\_\_\_\_  
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Attorneys for Applicant and Assignee,  
Valverde Investments, Inc. and  
Conectron, Inc.

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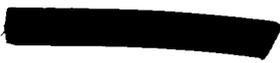
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VALVERDE INVESTMENTS, INC.,

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Opposition No. 91154797



03-12-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #21

**DECLARATION UNDER 37 C.F.R. § 3.73(b)(2)**

1. I, Dr. Fernando Valverde, state that I am the Director of Conectron, Inc., the current owner of the trademark BACKPAGE.
2. I also state that the trademark BACKPAGE was assigned to Conectron, Inc. by the Applicant, Valverde Investments, Inc.; and said Trademark Assignment was subsequently recorded with the United States Trademark Office [Rec/Frame: 2780/0790].
3. I further state that I am authorized to sign and request that the APPLICANT'S MOTION TO JOIN ASSIGNEE AS A PARTY DEFENDANT be granted in the above aforementioned Opposition proceeding on behalf of the Assignee, Conectron, Inc.

I further declare that all statements made herein of my own knowledge are true and accurate, and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made would constitute perjury, and are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Date: 3/4/03

  
\_\_\_\_\_  
Dr. Fernando Valverde, Director  
Conectron, Inc.

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