

Name of Deponent

EDMONT P. D'ASCOLI
Trustee of the Edmont P. D'Ascoli
Revocable Living Trust Dated May 24, 1996
and
President of XCEL Hawaii, Inc.
66-590 Kam Highway
Haleiwa, Hawaii 96712

Date/Time of Deposition

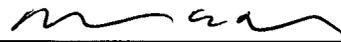
January 9, 2004
10:00 a.m.

Said deposition will be taken upon written questions at the offices of Cades Schutte LLP, 1000 Bishop Street, Suite 1200, Honolulu, Hawaii 96813, telephone (808) 521-9200, before an officer authorized by law to administer oaths, certified court reporter, or notary public or process server to administer oaths in the State of Hawaii.

Said deposition shall be upon written examination, pursuant to 37 CFR 2.124, Opposer's Notice of Testimonial Deposition Upon Written Questions Pursuant To 37 CFR 2.124, dated November 21, 2003, and the Written Questions and Exhibits attached thereto.

The examination will continue from day to day until completed. The time stated above is a good faith estimate of the amount of time that may be needed to take the deposition. Depending on the circumstances, the time period may be longer or shorter. If needed, additional days may be scheduled later.

DATED: Honolulu, Hawaii, December 10, 2003.


MARTIN E. HSIA, Reg. No. 32,471
Cades Schutte LLP
1000 Bishop Street, 12th Floor
Honolulu, Hawaii 96813
Telephone: (808) 521-9200
Attorneys for EDMONT P. D'ASCOLI, Trustee
of the EDMONT P. D'ASCOLI REVOCABLE
LIVING TRUST DATED MAY 24, 1996

TTAB



Transmittal Memorandum

12-15-2003

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #77

TO : Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

FROM : Martin E. Hsia, Esq.

DATE : December 10, 2003

RE : U.S. States Patent & Trademark Office
Before The Trademark Trial And Appeal Board
Opposition No.: 91155174
Mark: EXEL
Opposer: Edmont P. D'Ascoli, Trustee of
The Edmont P. D'Ascoli Revocable Living Trust
Dated May 24, 1996
Applicant: EXEL OYJ

We are sending you the following:

| ORIG. | COPIES | DATED | DESCRIPTION |
|-------|--------|----------|--|
| 1 | | 12/10/03 | Opposer's Amended Notice of Testimonial Deposition Upon Written Questions Pursuant to 37 CFR 2.124 |
| 1 | | | Postcard Receipt |

- For your information
- For your files
- Per your request
- Per our conversation
- For necessary action**
- Are returned herewith

- For signature and return
- For signature, forwarding, as noted below & return
- For review & approval
- For distribution
- For recording/filing**

REMARKS:

C S

Cades Schutte Building
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