

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

FUNDIA CROMAX AKTIEBOLAG )

Opposer, )

v. )

INDUSTRIAL HARD CHROME, LTD. )

Applicant )

OPPOSITION NO. 91156298

76310413

**APPLICANT'S CONSENTED TO REQUEST FOR EXTENSION OF TIME TO ANSWER  
OR OTHERWISE PLEAD AND TO RESET DISCOVERY AND TESTIMONY PERIODS,  
OR ALTERNATIVELY, FOR SUSPENSION OF THE OPPOSITION,  
PENDING FURTHER SETTLEMENT NEGOTIATIONS**

Applicant, INDUSTRIAL HARD CHROME, LTD., with the consent of the Opposer,  
requests that::

- The period of time in which Applicant may answer or otherwise plead with respect to Opposer's Notice of Opposition be further extended for six (6) months from November 4, 2004 up to and including May 4, 2005, and that the discovery and testimony periods in this case be reset, or alternatively;
- The Opposition be suspended pending further settlement negotiations.

This Opposition had previously been suspended, but the parties were not then able to complete an amicable settlement, and the United States Patent and Trademark Office Trademark Trial and Appeal Board mailed an Order on October 5, 2004 resuming the proceedings in this Opposition and setting November 4, 2004 for Applicant to respond to the Notice of Opposition, as well as setting dates for the close of discovery and testimony periods.



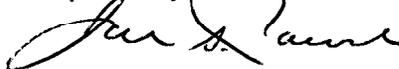
11-02-2004

The parties have continued engage in settlement negotiations, and have agreed in principle upon terms for an amicable resolution. Moreover, a number of drafts of a written Settlement Agreement with the final terms of the amicable settlement have been exchanged, and most of the issues have been resolved. Issues that remain to be resolved involve the identification of Applicant's goods. Opposer presently has a further draft of the Settlement Agreement from Applicant. However, Opposer is in a foreign country, and additional time is need for review. It is hoped that this matter will be amicably resolved within the six (6) month extension requested, without the parties engaging in formal proceedings or seeking formal discovery. This additional time is required to finalize an amicable resolution, and not for purposes of delay.

Michael W. Garvey, counsel for Opposer, consented to this request today. Applicant respectfully requests that the extension or suspension be granted.

Dated: October 25 , 2004

Respectfully submitted,



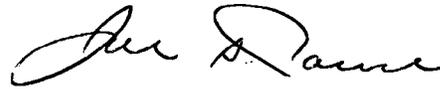
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(312) 456-8400

### **CERTIFICATE OF MAILING**

I certify that APPLICANT'S CONSENTED TO REQUEST FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD AND TO RESET DISCOVER AND TESTIMONY PERIODS, OR ALTERNATIVELY, FOR SUSPENSION OF THE OPPOSITION, PENDING FURTHER SETTLEMENT NEGOTIATIONS is being deposited today with the United States Postal Service as First Class Mail under C.F.R.

§1.8 and is addressed to U.S. Patent and Trademark Office, Trademark Trial and Appeal Board, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia, 22202-3514.



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John S. Pacocha

Dated: October 25, 2004

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of APPLICANT'S CONSENTED TO REQUEST FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD AND TO RESET DISCOVER AND TESTIMONY PERIODS, OR ALTERNATIVELY, FOR SUSPENSION OF THE OPPOSITION, PENDING FURTHER SETTLEMENT NEGOTIATIONS is being served upon counsel for Opposer via first class mail, postage pre-paid on October 25, 2004 to:

Michael W. Garvey, Esq.  
PEARNE & GORDON LLP  
1801 East Ninth Street  
Suite 1200  
Cleveland, OH 44114-3108



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John S. Pacocha

Dated: October 25, 2004

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