

09/15/2003TTAB

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09-03-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

I hereby certify that this document was deposited with the U.S. Postal Service, Express Mail "Post Office to Addressee Service" Express Mail No. EL 728803117 US to: The Trademark Trial & Appeal Board 2900 Crystal Drive Arlington, Virginia 22202-3513 This 3rd day of September, 2003.

Lisa M. Gigliotti

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

In the Matter of Application Serial No. 76-328,038
Published in the Official Gazette on September 17, 2002

TONI & GUY (USA) LIMITED,

Opposer,

v.

Opposition No. 91156437

ARTEC SYSTEMS GROUP, INC.,

Applicant.

**MOTION ON CONSENT TO EXTEND APPLICANT'S
TIME TO ANSWER OR OTHERWISE MOVE**

L'Oreal USA Creative, Inc., (hereinafter "L'Oreal"), being the Applicant in Opposition No. 156,437 by way of assignment of Application Serial No. 76-328,038 (see Reel/Frame No. 2577/0403), respectfully moves, pursuant to Trademark Rule 2.127, 37 C.F.R. 2.127, that its time to answer or otherwise move in connection with the Notice of Opposition in the captioned case be extended for an additional period of thirty (30) days, namely, from September 8, 2003 to October 8, 2003.

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The parties believe the matter can be resolved amicably and are working toward settlement of the matter, but need additional time to finalize their discussions, which will resolve the controversy that has arisen between them. Opposer has consented to the extension on August 29, 2003 and has authorized L'Oreal to represent Opposer's consent to this motion. A copy of this motion is being served simultaneously herewith.

For the reasons stated, L'Oreal respectfully requests that the instant motion be granted.

Respectfully submitted,

L'OREAL USA CREATIVE, INC.

By: 

Dated: September 3, 2003

Lisa M. Gigliotti
575 Fifth Avenue
New York, New York 10017
Assistant Vice-President and
Attorney for Applicant

0011200309031700

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below a true and correct copy of the foregoing MOTION ON CONSENT TO EXTEND APPLICANT'S TIME TO ANSWER OR OTHERWISE MOVE was served on this 3rd day of September, 2003, on the attorney of record for Opposer by first class mail, postage prepaid, in an envelope addressed to:

David W. Carstens, Esq.
Carstens, Yee & Cahoon, LLP
P.O. Box 802334
Dallas, Texas 75380



Lisa M. Gigliotti

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L'ORÉAL USA

Lisa M. Gigliotti
Trademark Counsel

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September 3, 2003

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Via Express Mail No. EL 728803117 US

The Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

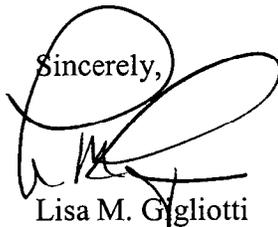
Re: Opposition No. 91156437
Serial No. 76-328,038

Dear Sir or Madam:

We enclose in triplicate a Motion on Consent to Extend Applicant's Time to Answer or Otherwise Move, together with a Certificate of Service and Certificate of Express Mailing. We also enclose an Acknowledgement Card.

Kindly address all correspondence on this matter to the undersigned at the address listed on this letterhead.

Sincerely,



Lisa M. Gigliotti