

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

In the Matter of Application Serial No. 76/055,098
Published in the Official Gazette of September 9, 2003

Mark: **DREAMNET**

CDM Networks, Inc.,

Opposer,

v.

DreamNet Corporation,

Applicant.

Opposition No. 91159209

STIPULATED MOTION TO FURTHER EXTEND
APPLICANT'S DEADLINE TO RESPOND TO THE NOTICE OF OPPOSITION

Commissioner for Trademarks
U.S. Patent and Trademark Office
Attention: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir:

On January 28, 2004, the Trademark Trial and Appeal Board mailed out its Initial Scheduling Order in this matter, pursuant to which Applicant DreamNet Corporation had through and including March 8, 2004 in which to respond to Opposer CDM Networks, Inc.'s Notice of Opposition. After a suspension period to allow the parties time in which to attempt to settle this

matter, the Board mailed out a Scheduling Order on October 23, 2004, setting forth a new schedule for these proceedings and an Answer due date of November 29, 2004. In a continuing attempt to resolve this matter, the parties subsequently filed their Stipulated Motion to Further Extend Applicant's Deadline to Respond to the Notice of Opposition, to and including December 29, 2004, which application the Board has not yet had an opportunity to act upon.

Concurrent with the above, Applicant and Opposer have continued to engage in their discussions regarding the possibility of the settlement of this proceeding. As part of this, Applicant has provided considerable trademark documentation to Opposer, which Opposer is in the process of reviewing, to determine if an early resolution is possible. However, Opposer needs further time for this review. Additionally, due to Applicant's location in Japan as well as language and other complications, the parties' discussions have been more difficult than usual to complete and more time is needed to ascertain whether settlement might be possible.

Because of the above factors, a further 30 days respectfully is requested for this review and discussion, including to determine if settlement of the issues may be possible. Accordingly, Opposer and Applicant have agreed that Applicant may have a further extension of time of 30 days, to and including January 28, 2005, in which to respond to the Notice of Opposition. The extension of time stipulated to and requested herein will not affect the dates in this proceeding previously set by the Trademark Trial and Appeal Board in its Scheduling Order.

In communications with Opposer's counsel, Richard P. Brull of the law firm of Brull Piccionelli Sarno & Braun, on December 17, 2004, the foregoing was agreed to and Applicant's counsel was authorized to prepare and submit this Stipulated Motion to Extend on the parties' behalf.

Accordingly, the parties respectfully request that the Trademark Trial and Appeal Board approve the parties' stipulation and extend Applicant's time in which to respond to Opposer's Notice of Opposition to and including January 28, 2005. This is the parties' second request for the extension of this recently reset response deadline.

This request is made for good cause, in good faith, and not for purposes of unwarranted delay, as is explained more fully above. Accordingly, the parties respectfully request the Trademark Trial and Appeal Board's approval of the parties' stipulation.

This motion has been filed in triplicate.

Respectfully submitted,

Dated: December 21, 2004

SQUIRE, SANDERS & DEMPSEY L.L.P.

By 
Michael E. Sobel

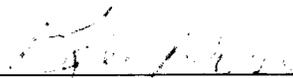
Attorneys for Applicant
DREAMNET CORPORATION

SQUIRE, SANDERS & DEMPSEY L.L.P.
600 Hansen Way
Palo Alto, CA 94304
Telephone: (650) 856-6500

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this STIPULATED MOTION TO FURTHER EXTEND APPLICANT'S DEADLINE TO RESPOND TO THE NOTICE OF OPPOSITION is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service,

Express Mail label number EL 806908229 US, postage prepaid, in an envelope addressed to Commissioner for Trademarks, U.S. Patent and Trademark Office, Attention: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on December 21, 2004.

By 
Kate Rose

CERTIFICATE OF SERVICE BY MAIL

The undersigned certifies that a true and correct copy of this STIPULATED MOTION TO FURTHER EXTEND APPLICANT'S DEADLINE TO RESPOND TO THE NOTICE OF OPPOSITION was served on counsel for Opposer by depositing the same in the United States

Mail, first class, postage prepaid, addressed to:

Richard P. Brull
Brull Piccionelli Sarno & Braun
1925 Century Park East, Suite 2350
Los Angeles, CA 90067

this 21st day of December, 2004.

By 
Kate Rose

TTAB

SQUIRE, SANDERS & DEMPSEY L.L.P.

600 Hansen Way
Palo Alto, California 94304-1043

Office: +1.650.856.6500
Fax: +1.650.843.8777

Direct Dial: +1.650.843.3376
msobel@ssd.com

SQUIRE SANDERS
LEGAL COUNSEL
WORLDWIDE

December 21, 2004

U.S. EXPRESS MAIL (EXPRESS MAIL LABEL NO. EL 806908229US)

Commissioner for Trademarks
U.S. Patent and Trademark Office
Attention: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: CDM Networks, Inc. v. DreamNet Corporation
Opposition No. 91159209
Mark: **DREAMNET**
Serial No. 76/055,098

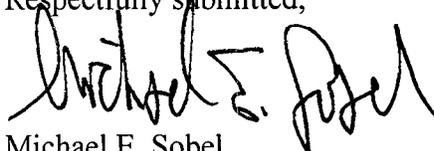
Dear Commissioner:

We enclose for filing and consideration the original and two copies of the parties' Stipulated Motion to Further Extend Applicant's Deadline to Respond to the Notice of Opposition, in the above opposition proceeding.

We would appreciate if the Patent and Trademark Office would acknowledge receipt of the Stipulated Motion by returning the enclosed, self-addressed, postage-paid postcard. Please charge any applicable fees to Squire, Sanders & Dempsey L.L.P.'s Deposit Account No. 07-1850.

Thank you for your consideration of and assistance with this matter.

Respectfully submitted,



Michael E. Sobel

Counsel for Applicant
DreamNet Corporation

MES:spm
Enclosures
cc (with enclosure):

Counsel for Opposer, Richard P. Brull, Esq.



12-21-2004
U.S. Patent & TMO/TM Mail Rcpt Dt. #66