

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
2900 Crystal Drive
Arlington, VA 22202-3514

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 has through and including March 8, 2004 in which to respond to Opposer CDM Networks, Inc.'s Notice of Opposition.

Concurrent with the above event, Applicant and Opposer have been engaged in discussions regarding the possibility of the settlement of this proceeding. However, due to the location of Applicant in Japan as well as language and other complications, these discussions have been more difficult than usual to complete and more time is needed to ascertain whether settlement might be possible. Given these facts, Opposer and Applicant agreed, earlier, that Applicant could have an extension of time of 30 days, to and including April 7, 2004, in which to respond to the Notice of Opposition, which Stipulation subsequently was ordered by the Board. Because of the above factors, a further 30 days is needed to complete the initial analyses in this matter, 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 May 7, 2004, 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 Initial Scheduling Order.

In a telephone call with Opposer's counsel, Richard P. Brull of the law firm of Brull Piccionelli Sarno & Braun, on April 2, 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 May 7, 2004. This is the parties' second request for the extension of this deadline.

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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.

Dated: April 5, 2004

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

By Michael E. Sobel
Michael E. Sobel

Attorneys for Applicant
DREAMNET CORPORATION

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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 701359774 US, postage prepaid, in an envelope addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on April 5, 2004.

By Lynda Robisch
Lynda Robisch

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 5th day of April, 2004.

By Lynda Robisch
Lynda Robisch

JTAB

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April 5, 2004

VIA U.S. EXPRESS MAIL (EXPRESS MAIL LABEL NO. EL 701359774 US)

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

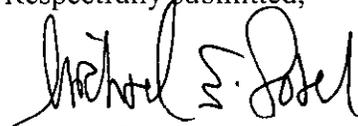
Re: CDM Networks, Inc. v. DreamNet Corporation
Opposition No. 91159209
Mark: **DREAMNET**
Serial No. 76/055,098

Dear Sir:

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.


04-07-2004
U.S. Patent & TMO/TM Mail Rpt Dt. #72