

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

In the Matter of Opposition No. 91159871

-----X
MARIO DIAZ,)
)
 Opposer,)
)
 v.)
)
 SERVICIOS DE FRAQUICIA PARDO'S)
 SAC.)
)
 Applicant,)
-----X

**OPPOSER, MARIO DIAZ'S MOTION FOR EXTENSION OF TIME TO
RESPOND TO APPLICANT'S MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. 6 (b), made applicable to Board Proceedings by 37 CFR§ 2.116(a), Counsel for Opposer, Mario Diaz, moves this Board for a thirty-day (30) extension of time, within which to respond to Applicant's Motion for Summary Judgment, up to and including February 28, 2004. This is opposer's first request for extension.

On December 29, 2004, Applicant filed a Motion for Summary Judgment. A response to the Motion is presently due on January 28, 2005.

On January 24, 2005, counsel contacted counsel for the applicant for her consent to this motion, but received no response.

This case involves important legal issues which, required detailed research. In addition, counsel has a number of other litigations that hinder a timely response.

Accordingly, the undersigned moves this Board for a thirty-day extension through February 28, 2005 to submit its response to Applicant's Motion for Summary Judgment.

WHEREFORE, Opposer respectfully request a thirty day extension of time, up to and including, February 28, 2005, within which to submit its Response to Applicant's Motion for Summary Judgment.

Respectfully submitted,

SANDLER, TRAVIS & ROSENBERG, P.A.

Attorneys for Opposer, Mario Diaz

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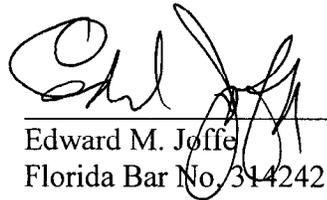
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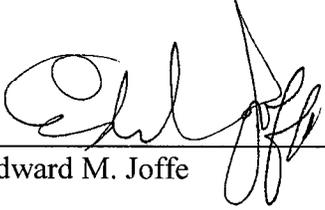
Edward M. Joffe
Florida Bar No. 314242

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

Federal Express on January 26, 2005, upon:

Cynthia C. Henderson
J. Paul Fulbright
Fulbright & Jaworski, L.L.P.
801 Pennsylvania Avenue, NW
Washington, DC 20004



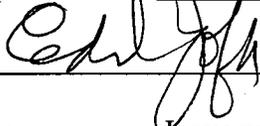
Edward M. Joffe

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed and Via Federal Express to: Assistant Commissioner for Trademarks, US Patent and Trademark Office, Madison East, Concourse Level, RM. C55, 600 Dulany Street, Alexandria, VA 22314.

Date of Deposit: January 26, 2005

Name of Applicant, Assignee,
or Registered Representative: Edward M. Joffe

Signature: 

Date of Signature: January 26, 2005

SANDLER, TRAVIS & ROSENBERG, P. A.

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January 26, 2005

VIA U.S. MAIL and FEDERAL EXPRESS

Assistant Commissioner for Trademarks
US Patent and Trademark Office
Madison East, Concourse Level, Rm. C55
600 Dulany Street
Alexandria, VA 22314

**RE: Pardo's Chicken, Inc. v. Servicios de Franquicia Pardo's SAC and
Pardo's Chicken Corp.
CASE NO. 03-020220 CA (24)
Our File No. 018997.10000**

Dear Sir or Madam:

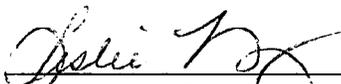
We are enclosing one original and two copies in this action, for filing of Opposer, Mario Diaz's Motion for Extension of Time to Respond to Applicants Motion for Summary Judgment.

Please return one copy stamped filed in the self-addressed, stamped envelope provided for your convenience.

Sincerely,

SANDLER, TRAVIS & ROSENBERG, P.A.

By:



Leslie Lopez, Legal Assistant

Enclosures

cc: Counsel of Record (via Federal Express)

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01-27-2005

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