

ORIGINAL

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07-26-2004

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

Attorney for Applicant

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

9 **Leo Stoller d/b/a,**  
10 **CENTRAL MFG**  
11 **P.O. Box 35189**  
12 **Chicago, IL 60707-0789**

**Opposer,**

13 vs.

14 **AIRFRAME BUSINESS SOFTWARE, INC.**  
15 **800 Southwood Blvd., Suite 105**  
16 **Incline Village, Nevada 89451**

**Applicant. ,**

**Trademark:**

**AIRFRAME BUSINESS SOFTWARE,**  
**INC.**

**Opposition No.: 91160234**  
**Application SN: 78-233,204**  
**Int. Class No: 09**

**AFFIDAVIT OF MAILING**

18 STATE OF NEVADA )  
19 ) ss.  
20 COUNTY OF WASHOE )

21 I, Veronica Lopez, do hereby swear, under penalty of perjury, that the assertions of this Affidavit  
22 are true.

23 That Affiant is, and was when the herein-described mailing took place, a citizen of the United  
24 States, over 18 years of age, and not a party to, nor interested in, the within action, that on July 23, 2004,  
25 Affiant deposited in the United States Post Office at Reno, Nevada, a copy of the following document:

26 **OPPOSITION TO MOTION FOR AN EXTENSION OF TIME TO REPLY TO**  
27 **APPLICANT'S OPPOSITION TO STRIKE AFFIRMATIVE DEFENSES; TO DISMISS**  
28 **APPLICANT'S COUNTERCLAIMS UNDER FRCP 12(B) AND FOR RULE 11 SANCTIONS**  
**AND APPLICANT'S MOTION FOR RULE 11 SANCTIONS.**

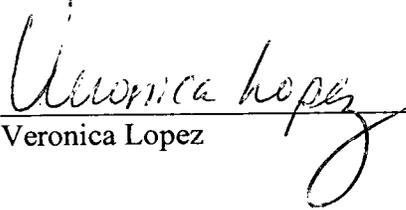
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The above-described documents was enclosed in a sealed envelope upon which first-class postage was fully prepaid, addressed to:

United States Department of Commerce  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202.3513

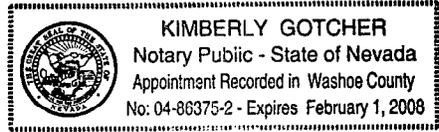
Leo Stoller  
Central Mfg., Trademark and Licensing  
Post Office Box 35189  
Chicago, IL 60707-0189

DATED this 23<sup>rd</sup> day of July, 2004.

  
Veronica Lopez

Subscribed and Sworn before me  
This 23<sup>rd</sup> day of July, 2004

  
Notary Public



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8 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
9  
10 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

11 Leo Stoller d/b/a ) Trademark:  
12 CENTRAL MFG. ) AIRFRAME BUSINESS  
13 P.O. Box 35189 ) SOFTWARE, INC.  
14 Chicago, IL 60707-0789 )  
15 ) Application SN: 78-233204  
16 Opponent, ) Int. Class No: 09  
17 )  
18 v. )  
19 )  
20 AIRFRAME BUSINESS SOFTWARE, )  
21 INC. )  
22 800 Southwood Blvd., Suite 105 )  
23 Incline Village, NV 89451 )  
24 Applicant. )  
25 )

26 **OPPOSITION TO MOTION FOR AN EXTENSION OF TIME TO REPLY TO**  
27 **APPLICANT'S OPPOSITION TO SRIKE AFFIRMATIVE DEFENSES; TO DISMISS**  
28 **APPLICANT'S COUNTERCLAIMS UNDER FRCP 12(B) AND FOR RULE 11**  
29 **SANCTIONS AND APPLICANT'S MOTION FOR RULE 11 SANCTIONS**

30 COMES NOW Applicant Airframe Business Software, Inc., by and through their  
31 counsel Ann Rosevear, Esq., and opposes Opposer Leo Stoller's Motion for Extension of Time  
32 to Reply.

33 Opposer telephoned this writer on July 15, 2004 and requested a 30-day extension to  
34 reply to Applicant's opposition. Opposer's reason for the request is that he has been heavily  
35 involved in prior pending appeals and the July 4<sup>th</sup> holiday. This writer advised Opposer that

1 she was not authorized to grant an extension without the client's consent. Applicant's counsel  
2 fully understands the nature and complexity of litigation deadlines and it is why that frivolous  
3 motion, such as the one at issue filed by Opposer, does not warrant the time, effort and is not in  
4 the interest of judicial economy. Nonetheless, Opposer's 30-day extension is for purposes of  
5 delay and not in good faith and it respectfully requested that this honorable court deny  
6 Opposer's motion for extension of time.

7 Dated this 22 day of July, 2004.



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9 Ann Setty-Rosevear, Esq.  
10 Attorney for Applicant,  
11 Airframe Business Software, Inc.

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