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

Proceeding	91161754
Party	Defendant Krause, Antoinette K. Krause, Antoinette K. 143 Tynebourne Place Alameda, CA 94502
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Submission	Opposition/Response to Motion
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Date	03/11/2005
Attachments	Krause opp to 7 11 mo to extend discovery.pdf (2 pages)

**BEFORE THE UNITED STATES DEPARTMENT OF COMMERCE
TRADEMARK TRIAL & APPEALS BOARD**

7-ELEVEN, INC.,

Opposer,

vs

**ANTOINETTE K. KRAUSE and
PAUL J. KRAUSE,**

Applicants.

Opposition No. 91161754
Serial No. 78/225.628
Mark: MIRACLE 7 & design

**APPLICANTS' OPPOSITION TO
OPPOSER'S MOTION FOR EXTENSION OF TIME**

Applicants oppose Opposer's request for an extension of time of the discovery period herein.

Opposer has already served discovery and therefore there can be no other reason for this requested extension other than to delay this matter, harass Applicants, and inflict further expensive legal proceedings against Applicants in this unfounded *inter partes* matter.

Opposer's mark asserted in this opposition proceeding, 7-ELEVEN WEEKEND REWARDS for convenience stores featuring soft drinks, is not even remotely similar to Applicant's mark MIRACLE 7 & design for chemical stain removers.

There are almost one thousand current applications and registrations including the numeral or word seven, listed on the Trademark Office's TARR server. Opposer doesn't come close to owning all of them; none of Opposer's marks, apparently, cover goods in Class 3, as does Applicants' mark. It is obvious that Opposer's request for an extension of discovery time,

like the opposition itself, is nothing more than a tactic designed to harass Applicants.

For the foregoing reasons, Applicants respectfully request the Board to deny Opposer's request to extend the discovery period in this matter for an additional ninety days. Opposer has already taken advantage of the generous discovery period provided by the TTAB and should not be allowed to use the TTAB's rules as a stick with which to intimidate Applicants.

Respectfully submitted,

Date: March 11, 2005

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CERTIFICATE OF SERVICE

I, Marta Randall, paralegal, hereby certify that a copy of **APPLICANTS' OPPOSITION TO OPPOSER'S MOTION FOR EXTENSION OF TIME** was served on this 11th day of March, 2005, on

Diane G. Elder, Esq.
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225 West Wacker Drive
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by first class mail, postage prepaid.

/Marta Randall/
Marta Randall