

ESTTA Tracking number: **ESTTA26423**

Filing date: **02/21/2005**

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

Proceeding	91163399
Party	Defendant TUBELITE INC. TUBELITE INC. 4878 Mackinaw Trail Reed City, MI 49677
Correspondence Address	CHARLES E. BURPEE WARNER NORCROSS & JUDD LLP 900 FIFTH THIRD CENTER 111 LYON STREET, N.W. GRAND RAPIDS, MI 49503-2487
Submission	Stipulated/Consent Motion to Extend
Filer's Name	R. Scott Keller
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Signature	/rsk/
Date	02/21/2005
Attachments	T_MAG ext to answer.pdf (2 pages)

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

MAG INSTRUMENT, INC.,)	Opposition No. 91163399
)	
Opposer,)	Application Serial No.: 78/286,865
)	Filing Date: August 13, 2003
v.)	Publication Date: June 1, 2004
)	Trademark: T-MAG
TUBELITE, INC.,)	International Class: 40
)	
Applicant.)	
)	
_____)	

APPLICANT'S MOTION FOR EXTENSION OF TIME
TO ANSWER NOTICE OF OPPOSITION

Applicant, Tubelite, Inc., respectfully moves the Board to extend the time for it to answer or otherwise plead in response to the Notice of Opposition in the above-captioned proceeding for a second period of thirty (30) days, to and including March 24, 2005. One previous extension of time for 30 days has been requested and granted. As grounds for this motion, the Board is advised that the parties are continuing to negotiate a settlement of this proceeding. Additional time is needed to continue negotiating the settlement.

Counsel for Opposer has consented to the extension and, in view of the above, it is believed that the extension of time is appropriate and should be granted. Such action is requested.

TUBELITE, INC.

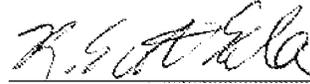
Date: February 21, 2005

By: 

R. Scott Keller
Warner Norcross & Judd LLP
Attorneys for Applicant

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing Applicant's Motion for Extension of Time to Answer Notice of Opposition was served on Charles A. Kertell, Jones Day, 555 West Fifth Street, Suite 4600, Los Angeles, California 90013, attorney for Opposer, by depositing same in the United States mail, first class, postage prepaid, on February 21, 2005.



R. Scott Keller