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Filing date: **10/25/2010**

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

Proceeding	91192099
Party	Defendant McSweet, LLC
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Submission	Opposition/Response to Motion
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Date	10/25/2010
Attachments	93455.PDF (4 pages)(87480 bytes)

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

In the Matter of:
Application Serial No. 77/722,272
Published in the *Official Gazette*
September 1, 2009

McDONALD's CORPORATION,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91192099
)	
McSWEET, LLC,)	
)	
Applicant.)	

**AFFIDAVIT OF MARK WASHBURN IN SUPPORT OF
APPLICANT'S OPPOSITION TO OPPOSER'S MOTION FOR AN EXTENSION
OF TIME TO SERVE RESPONSES TO APPLICANT'S FIRST SET OF
REQUESTS FOR ADMISSIONS TO OPPOSER**

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I, Mark Washburn, being first duly sworn upon oath, depose and say:

1. I am over the age of 18 and am competent to make this affidavit and do so upon personal knowledge and belief. This affidavit is filed in support of Applicant's Opposition to Opposer's Motion for an Extension of Time to Serve Responses to Applicant's First Set of Requests for Admission to Opposer.

2. I am a paralegal, employed by the law firm of Hendricks & Lewis PLLC.

3. On Monday, October 4, 2010 I picked up a phone call on the firm's main line from Mr. Lawrence James, Jr., who identified himself as Lee James from the law

firm of Neal Gerber & Eisenberg, and asked to speak to attorney Katherine Hendricks. I informed him that Ms. Hendricks had left the office for the day because she wasn't feeling well, but I asked if he wanted to leave a voicemail. He answered that he had already left one, but wondered if he could speak with attorney Caitlin Oliphant [now Caitlin Bellum]. I informed him that Ms. Oliphant was out of the office and would be for the rest of that week. I asked him if he wanted to leave her a voicemail. He asked if I would instead transfer him to Ms. Hendrick's voicemail box, which I did.



MARK WASHBURN

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

SUBSCRIBED AND SWORN TO before me on this 25th day of October 2010,
by Mark Washburn.

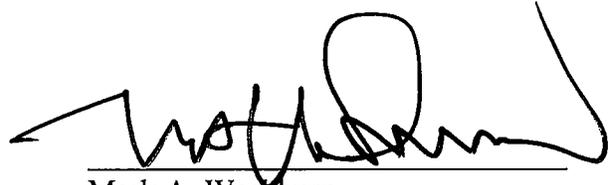


Brenda B. Nixdorf
PRINTED NAME: Brenda B. Nixdorf
NOTARY PUBLIC in and for the
State of Washington
Residing at: Brier, WA
My Appointment Expires: 10/21/2012

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **APPLICANT'S OPPOSITION TO OPPOSER'S MOTION FOR AN EXTENSION OF TIME TO SERVE RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSIONS TO OPPOSER** has been served on opposing counsel by mailing said copy on October 25, 2010, via First Class Mail, postage prepaid, and by email to:

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Mark A. Washburn