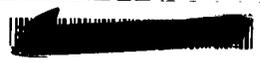


*Hub*

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

U.S. Trademark Registration Nos.: 2,554,110 and 2,554,111  
Trademarks: EXP and EXP COATED



02-19-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #22

-----X  
 )  
 GIBSON GUITAR CORP. )  
 309 Plus Park Blvd. )  
 Nashville, Tennessee 37217 )  
 Petitioner, )  
 )  
 v. )  
 )  
 J. D'ADDARIO & CO., INC. )  
 595 Smith Street )  
 Farmingdale, New York 11735 )  
 Registrant. )  
 )  
 -----X

Cancellation Nos. 92041175  
and 92041688 (Consolidated)

**NOTICE OF TESTIMONY DEPOSITION OF JAMES A. D'ADDARIO  
PURSUANT TO 37 CFR § 2.123**

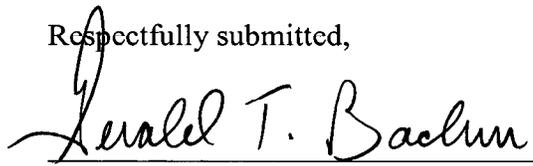
Registrant, D'Addario & Co., Inc. ("D'Addario"), gives notice to Petitioner, Gibson Guitar Corp. ("Gibson"), that it will take the deposition of James A. D'Addario for trial testimony in *inter partes* proceeding pursuant to 37 CFR § 2.123 on Thursday, March 4, 2004 beginning at 9:30 a.m. at J. D'Addario & Company, Inc., 595 Smith Street, Farmingdale, NY 11735. The deposition will be transcribed by a court reporter. Petitioner will be given the opportunity to cross exam the witness, Mr. D'Addario, 595 Smith Street, Farmingdale, NY 11735. The deposition will be used in both cancellation proceedings referenced above, which have been consolidated.

The Commissioner is hereby authorized to charge any fees or credit any overpayment

relating to this Notice to Deposit Account 502335. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: February 19, 2004



Gerald T. Bodner  
Bodner & O'Rourke, LLP  
425 Broadhollow Road, Suite 108  
Melville, New York 11747  
Telephone: 631-249-7500  
Facsimile: 631-249-4508  
Attorneys for Registrant  
J. D'Addario & Co., Inc.

**CERTIFICATE OF SERVICE**

**MARK:** EXP and EXP COATED

**REGISTRATION NO.:** 2,554,110 and 2,554,111

**CANCELLATION NO.:** 92041175 and 92041688 (Consolidated)

**NAME OF PARTY  
SERVING PAPERS:** Gerald T. Bodner on behalf of Registrant,  
J. D'Addario & Co., Inc.

**TYPE OF PAPERS:** NOTICE OF TESTIMONY DEPOSITION OF JAMES A.  
D'ADDARIO PURSUANT TO 37 CFR § 2.123

I, Gerald T. Bodner, an attorney, hereby certify that the above-identified document is being forwarded to: Edward D. Lanquist, Jr., Esq., WADDEY & PATTERSON, 414 Union Street, Suite 2020, Nations Bank Plaza, Nashville, Tennessee 37219 on February 19, 2004, via Express Mail, Post Office to Addressee, Express Mail No. ER 360115729 US.

Gerald T. Bodner  
Person Signing Certificate

Gerald T. Bodner  
Signature

February 19, 2004  
Date of Signature

**CERTIFICATE OF EXPRESS MAIL**

**MARK:** EXP and EXP COATED

**REGISTRATION NO.:** 2,554,110 and 2,554,111

**CANCELLATION NO.:** 92041175 and 92041688 (Consolidated)

**NAME OF PARTY  
SERVING PAPERS:** Gerald T. Bodner on behalf of Registrant,  
J. D'Addario & Co., Inc.

**TYPE OF PAPERS:** NOTICE OF TESTIMONY DEPOSITION OF JAMES A.  
D'ADDARIO PURSUANT TO 37 CFR § 2.123

I, Gerald T. Bodner, an attorney, hereby certify that the above-identified document is being forwarded to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on February 19, 2004, via Express Mail, Post Office to Addressee, Express Mail No. ER 360115732 US.

Gerald T. Bodner  
Person Signing Certificate

Gerald T. Bodner  
Signature

February 19, 2004  
Date of Signature