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***Service By Facsimile Not Accepted*

February 14, 2012

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Stephen A. Westlake v. Edgar Alexander Barrera
Cancellation No.: 92/052,260 (Serial No.: 77/378,015)

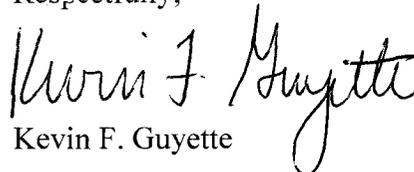
Dear Sir/Madam:

Enclosed please find petitioner Stephen A. Westlake's Opposition to Motion for Further Extension of Time to Secure New Legal Counsel filed by respondent Edgar Alexander Barrera. Also enclosed is a Certificate of Service.

Please do not hesitate to call our office with any questions or concerns you may have regarding the same.

I thank you for your consideration in this matter.

Respectfully,


Kevin F. Guyette

KFG:pb

cc: Edgar Alexander Barrera
Stephen A. Westlake
Mark Levy, Esq.



02-17-2012

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

STEPHEN A. WESTLAKE,)	
)	
Petitioner,)	Cancellation No. 92/052,260
)	(Serial No. 77/378,015)
EDGAR ALEXANDER BARRERA,)	
)	
Respondent.)	

**OPPOSITION TO MOTION FOR FURTHER EXTENSION OF TIME TO
SECURE NEW LEGAL COUNSEL**

Comes now, Kevin F. Guyette, attorney for petitioner Stephen A. Westlake, hereby submits his opposition to the motion for a further extension of time to secure new legal counsel in above-captioned proceeding.

1. Petitioner doubts the extent of the claim of impairment to health of the respondent.
2. According to information which is available to anyone on the internet, treatment for acute pancreatitis requires a few days stay in a hospital for intravenous fluids, antibiotics, and medication to relieve pain. Unless complications arise, acute pancreatitis resolves in a few days.
3. The treatment for chronic pancreatitis may require hospitalization for pain management, IV hydration and nutritional support. Nasal gastric feedings may be necessary for several weeks if the person continues to lose weight.
4. There has been no indication that the respondent has lost weight due to this condition, nor has there been specification of whether the condition is acute or chronic.

5. What does appear chronic is the respondent's failure to cooperate with his attorney which led to his withdrawal.

6. While the respondent includes his so-called list regarding his efforts to secure counsel, it should be noted that there are no specifics as to whom the attorneys are that he called.

7. Further, he includes attorneys that do not specialize in Intellectual Property Law, therefore, he is wasting everyone's time.

8. The respondent claims to be so sick that he cannot participate in the proceedings, yet he is not so sick that he cannot drive a sick relative to a doctor's appointment.

9. While he claims to be disadvantaged with "Mr. McAuliffe's abrupt and unexpected withdrawal the case", during the time that Mr. McAuliffe represented him, he did nothing to assist Mr. McAuliffe in this matter; apparently, he did not pay his legal fees.

10. It is further beyond comprehension how the respondent who lives in St. Augustine, Florida can travel to see his doctor whose office is located in South Daytona, which is at least 2 hours away by car.

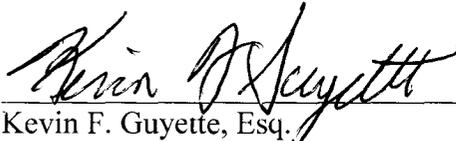
11. Clearly if he was really experiencing severe fatigue, it is unfathomable how he could travel the distance to see his own doctor let alone take a sick relative to their doctor's appointment, while making all of these phone calls.

12. It appears that the respondent is merely stalling to drag this matter out, for reasons which apparently are his own at this time.

13. Wherefore, petitioner respectfully requests that this motion for further extension be denied.

Dated: February 14, 2012
Binghamton, New York

Certified and Respectfully submitted by:

A handwritten signature in black ink, appearing to read "Kevin F. Guyette", written over a horizontal line.

Kevin F. Guyette, Esq.
Law Offices of Kevin F. Guyette
Attorney for Petitioner, Stephen A. Westlake
136 Court Street
Binghamton, New York 13902
(607) 773-0758

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

STEPHEN A. WESTLAKE,)	
)	
Petitioner,)	Cancellation No. 92/052,260
)	(Serial No. 77/378,015)
EDGAR ALEXANDER BARRERA,)	
)	
Respondent.)	

CERTIFICATE OF SERVICE

I, Patricia L. Brehaut, hereby certify under penalty of perjury, the following:

1. I am not a party to the above-entitled action, am over the age of eighteen (18), and reside at 3296 Route 79, Harpursville, New York 13787.

2. On February 14, 2012, I served a copy of petitioner's Opposition to Motion for Further Extension of Time to Secure New Legal Counsel dated February 14, 2012, upon respondent Edgar Alexander Barrera located at 10 Castania Court, St. Augustine, Florida 32086, by enclosing it in a properly addressed, postage-paid envelope and depositing the same in a depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Dated: February 14, 2012


Patricia L. Brehaut