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01-25-2002

U.S. Patent & TMO/TM Mail Rcpt. Dt. #40

TRADEMARK

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

In the Matter of Application Serial No. 75/535,394
Published in the OFFICIAL GAZETTE on July 6, 1999
Mark: DIAMOND CLAD

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CONSENTED REQUEST FOR EXTENSION OF TIME TO OPPOSE

Box TTAB
No Fee
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

The Flecto Company, Inc., by and through its attorneys, hereby requests an additional extension of time of sixty (60) days, until **March 26, 2002**, to file a Notice of Opposition in the above-identified matter. Applicant's counsel, Robert E. McDonald, agreed to this extension request in a telephone exchange with the undersigned on January 25, 2002.

The parties have been engaged in negotiations to settle this matter and have exchanged settlement proposals, most recently on January 24, 2002. This extension request is not being made for the purpose of delay.

This request is being submitted in triplicate, as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH
& McKEE, LLP

Date: January 25, 2002

By:
Philip J. Moy Jr.

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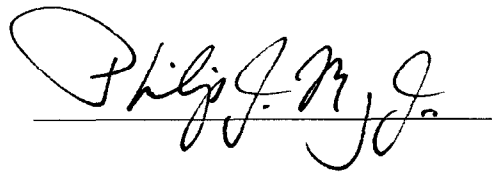
Attorneys for Potential Opposer,
THE FLECTO COMPANY, INC.

"Express Mail" Mailing Label Number 9L6719975150S
Date of Deposit Jan 25 2002
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.
P. Stepa
(PRINTED NAME OF SENDER)
P. Stepa
(SIGNATURE)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **CONSENTED REQUEST FOR EXTENSION OF TIME TO OPPOSE** was served by facsimile transmission and first class mail, postage prepaid, this 25th day of January, 2002, on the following attorney for applicant:

Robert E. McDonald, Esq.
Associate General Counsel
The Sherwin-Williams Company
101 Prospect Avenue, N.W.
Cleveland, Ohio 44115

A handwritten signature in black ink, appearing to read "Philip J. McDonald", is written over a horizontal line.