

09/20/2003 TTAB



CERTIFICATE OF MAILING

09-22-2003

U.S. Patent & TMO/TM Mail Rcpt Ct. #79

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner For Trademarks, BOX TTAB NO FEE,  
2900 Crystal Drive, Arlington, VA 22202-3514 on this  
19th day of September, 2003.

Danielle K. York

(Typed or Printed Name)

*Danielle K. York*  
Signature

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

In Re Trademark Application of	: Westeel Limited
Serial No.	: 75/744,051
Filed	: July 6, 1999
Mark	: <b>MAGNUM-F</b>
Published	: October 30, 2001
International Class	: 006
Attorney Docket	: 27475/05144

**REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION  
WITH CONSENT OF APPLICANT PURSUANT TO 37 C.F.R. §2.102**

Commissioner For Trademarks  
BOX TTAB NO FEE  
2900 Crystal Drive  
Arlington, VA 22202-3514

Dear Madam:

At this time, Master Lock Company, a Delaware corporation, with a place of business at 2600 North 32nd Street, Milwaukee, Wisconsin 53210, continues to believe that it would be damaged by registration of the above-identified mark. An extension of time of 30 days, to and

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including October 20, 2003, is hereby requested to file a notice of opposition in the above-identified matter. The additional time is necessary for the parties to discuss and consider resolution of this matter. On September 11, 2003, Applicant's counsel, John Snodgrass, Esq., consented via telephone, on behalf of Applicant, to this extension of time. This consented extension of time is requested to permit the Potential Opposer and Applicant time to continue to work on a resolution. If the parties are unable to resolve this matter, this consented extension of time is necessary to allow Potential Opposer an opportunity to prepare and file a formal notice of opposition.

In continuing response to requirement included in the notice of grant of a request for extension of time, mailed May 9, 2002, Potential Opposer submits the following as a detailed explanation reciting the progress the parties have made toward resolving this matter. Although none of the documentation has been enclosed herewith, Potential Opposer would gladly submit, upon request of the Examiner, any of the documentation mentioned below to evidence the parties process.

On February 25, 2002, Counsel for Potential Opposer mailed a letter to Applicant's Counsel with a set of proposed settlement terms. On April 12, 2002, Applicant's Counsel contacted Counsel for Potential Opposer to and agreed to all but one of the proposed settlement terms, namely proposition #7. On April 26, 2002, Counsel for Potential Opposer proposed a new set of terms for the settlement, amending only proposition #7. Counsel for Potential Opposer requested an extension of time on April 29, 2002 as Applicant's Counsel was on vacation, and therefore only agreed to another extension of time. On May 13, 2002, Counsel for Potential Opposer contacted Applicant's Counsel regarding the counterproposal terms; and again on May 21, 2002. On May 28, 2002 Applicant's Counsel responded that Applicant were reviewing the

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counterproposal, and that Applicant consented to an additional extension of time. On June 27, 2002 Applicant's counsel sent correspondence to Counsel for Potential Opposer confirming that Applicant was still reviewing the proposed settlement terms and agreed that a further extension of time should be requested. On July 22, 2002 Potential Opposer sent correspondence to Applicant's counsel requesting the status of Applicant's review of the proposed settlement agreement. On July 23, 2002, Applicant's counsel forwarded a revision of the final pending provision of the proposed Agreement.

*The Parties have prepared an Agreement; however, signed copies of the Agreement have not been exchanged. As such, an additional thirty days is hereby requested to preserve Opposer's rights.*

This request is submitted in triplicate in accordance with 37 C.F.R. §2.102(d).

Respectfully submitted,

Date: 9/19/03

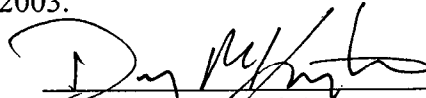


Douglas B. McKnight  
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Cleveland, Ohio 44114-2688  
(216) 622-8200

Counsel for Potential Opposer

**CERTIFICATE OF SERVICE**

A copy of the foregoing Request for Extension of Time to File Opposition with Consent of Applicant Pursuant to 37 C.F.R. §2.102 was mailed via First Class U.S. Mail to Applicant's counsel: Stephanie K. Wade, Dickstein Shapiro Morin & Oshinsky LLP, 2101 L Street NW, Washington D.C. 20037-1526 on September 19, 2003.

  
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Douglas B. McKnight

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**CALFEE, HALTER & GRISWOLD LLP**  
ATTORNEYS AT LAW

Cleveland

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email: dmcknight@calfee.com

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service, regular mail, on this, the 19th day of September, 2003 and is addressed to the Commissioner For Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3514.

Danielle K. York

PRINTED NAME OF PERSON SIGNING CERTIFICATE

Signature

September 19, 2003

Commissioner for Trademarks  
Box TTAB NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

Re: Application of Westeel Limited  
Mark: MAGNUM-F  
Serial No.: 75/744,051  
Filed: July 6, 1999  
Our File No.: 27475/05144

Dear Sir or Madam:

Enclosed please find the following documents:

1. Request for Extension of Time to File Opposition with Consent of Applicant Pursuant to 37 C.F.R. § 2.102 (consisting of 3 pages) in triplicate;
2. Original and one (1) copy of this Transmittal Letter (consisting of 1 page);
3. Return Receipt Postcard.

Please charge any additional necessary fees to our Deposit Account No. 03-0172. A duplicate of this letter is enclosed for accounting purposes.

Very truly yours,

Douglas E. McKnight

Enclosures