

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

**Trademark Application**

**Serial No.** : 75/826,810  
**Filed** : October 18, 1999  
**Published** : January 8, 2002  
**Official Gazette Page** : TM 493  
**Applicant** : PBE  
**Mark** : ALTAVIA

**REQUEST FOR FURTHER EXTENSION  
OF TIME TO FILE OPPOSITION**

Pursuant to 15 U.S.C. §1063 (Lanham Act §13) and Trademark Rule 2.102, request is hereby made for a further sixty (60) day extension of time within which a Notice of Opposition may be filed with respect to the above-identified application. This request is made on behalf of the prospective Opposer:

**Overture Services, Inc.** (owner by assignment recorded at Reel 002785  
Frame 0800 of all marks owned by AltaVista Company, the previous prospective Opposer)  
74 North Pasadena Avenue, 3<sup>rd</sup> Floor  
Pasadena, California 91103

The time within which a Notice of Opposition must be filed presently expires on May 5, 2004. If this request is granted, the time within which the prospective Opposer may file a Notice of Opposition would be extended to and include July 5, 2004.

The prospective Opposer has negotiated a worldwide settlement agreement with the Applicant concerning the subject mark which requires the Applicant to take certain steps with respect to its pending application. Among said steps the Applicant filed a Post-Publication

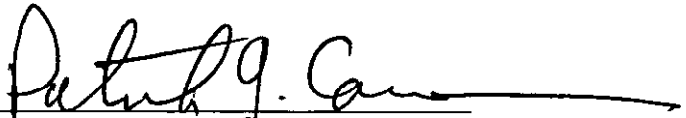
Response in connection with the above-indicated application on August 19, 2003 and awaits a decision by the Trademark Office. The prospective Opposer is hopeful all of said steps will be concluded within this extension period.

The prospective Opposer has contacted Applicant's counsel and Applicant has assented to this request.

The foregoing request is made in good faith and not for purposes of delay, and is being submitted in triplicate in accordance with Trademark Rule 2.102(d).

Respectfully submitted,

Dated: April 20, 2004



F. Andrew Anderson  
Laurie S. Gill  
Patrick J. Concannon

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail

In an envelope addressed to:  
Commissioner for Trademarks, 2900  
Campbell Drive, Arlington, VA 22202-  
The following facts shown below:

Laura Marsden

Typed or Printed Name of  
Person Signing Certificate

Laura Marsden

Signature

4/20/04

Date

Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, Massachusetts 02199  
(617) 239-0100

Attorneys for Overture Services, Inc.

Atty Ref: 582-29-2NOTOPP

**CERTIFICATE OF SERVICE**

This is to certify that one copy of this Request for Further Extension of Time to File Opposition, dated 4/20/04, was mailed on 4/20/04 by first-class mail, postage prepaid to Applicant's counsel in an envelope addressed as follows:

Lawrence E. Abelman  
Abelman, Frayne & Schwab  
150 East 42<sup>nd</sup> Street  
New York, N.Y. 10017

Laura Marsden  
Laura Marsden

Dated: 4/20/04

# PALMER & DODGE LLP

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TTAB

LESLIE Y. ARNOLD  
617.239.0100  
larnold@palmerdodge.com

April 20, 2004

## VIA FIRST CLASS MAIL

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

**NO FEE**

**Re: Applicant: PBE**  
**Serial No.: 75/826810**  
**Mark: ALTAVIA**  
**Our Ref.: 582-29-2NOTOPP**

Dear Sir/Madam:

Enclosed on behalf of Overture Services, Inc. please find in **triplicate** a Request For Further Extension of Time to File Opposition with consent requesting further extension to **July 5, 2004**. The Certificate of Mailing by First Class Mail appears on the signature page of the document.

Would you kindly return the postage-paid postcard to acknowledge your receipt of this document.

Sincerely,

*Leslie Y. Arnold*  
*(um)*

Leslie Y. Arnold  
Trademark Consultant

Enclosures

cc: Marsha Erickson  
Lawrence E. Abelman, Esq.  
Lolle Hendrickson  
F. Andrew Anderson, Esq.



04-22-2004

U.S. Patent & TMOs/TM Mail Rcpt Dt. #77