

**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, 3rd Floor
Pasadena, California 91103

The time within which a Notice of Opposition must be filed presently expires on November 2, 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 January 1, 2005.

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: October 26, 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, P.O. Box 1451, Alexandria, VA 22313-1451
on the date shown below:

Laura Marsden

Typed or Printed Name of
Person Signing Certificate

Laura Marsden

Signature

10/26/04

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 10/26/04 was mailed on 10/26/04 by first-class mail, postage prepaid to Applicant's counsel in an envelope addressed as follows:

Julie B. Seyler
Abelman, Frayne & Schwab
150 East 42nd Street
New York, N.Y. 10017

Laura Marsden
Laura Marsden

Dated: 10/26/04

PALMER & DODGE LLP

111 HUNTINGTON AVENUE AT PRUDENTIAL CENTER
BOSTON, MA 02199-7613

TTAB

LESLIE Y. ARNOLD
617.239.0100
larnold@palmerdodge.com

October 26, 2004

VIA FIRST CLASS MAIL

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

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 **January 1, 2005**. 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
(sm)

Leslie Y. Arnold
Trademark Consultant

Enclosures

cc: Marsha Erickson
Julie B. Seyler, Esq.
Lolle Hendrickson
F. Andrew Anderson, Esq.

