

TTAB

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

GOULDS PUMPS, INCORPORATED,	)	
	)	
Potential Opposer,	)	Application S.N. 75/829,943
	)	
v.	)	Mark: GP
	)	
STANDARD MOTOR PRODUCTS, INC.,	)	Published: JUNE 19, 2001
	)	
Applicant.	)	



12-04-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

AGREED REQUEST FOR EXTENSION OF OPPOSITION PERIOD

NOW COMES Potential Opposer, GOULDS PUMPS, INCORPORATED, by its attorneys, and hereby requests a further two (2) calendar month extension from the present close of the opposition period, to and including February 2, 2004 (February 1, 2004, being a Sunday), within which to continue to seek to amicably resolve the matter through settlement pertaining to the above identified application for trademark registration, as well as other related applications or within which to consider, if necessary, the filing of the opposition petition. The matters at issue involve the resolution of no fewer than five (5) related applications under potential opposition.

Counsel for the potential Opposer is providing with this extension an overview of the background on the extensive continuing settlement related efforts associated with this matter and the overall five (5) related applications under potential

opposition. However, prior to that discussion, Opposer's counsel wishes to further apprise the Board that since the prior extension, developments have continued which have permitted the parties to progress towards settlement. It appears that counsel for the parties appear to have reached a potential agreement on an overview of settlement parameters for the resolution of this matter, except for certain issues requiring additional clarification or potential further specificity. To further assure progress on this matter, counsel for the potential Opposer has now scheduled for Opposer's in-house lead intellectual property law counsel to travel to Chicago for a conference call with Applicant's counsel (and possibly as may be necessary with his client) which recently occurred in an effort to seek to fully resolve and reach a settlement in principle of this matter and on the related five (5) applications at issue. Even with the holiday season this trip for Potential Opposer's lead in-house intellectual property law counsel has been scheduled for later this month. Due to a change in the date for a prior Court hearing there was previously a delay in this scheduling.

The additional time is requested so that the parties may continue to resolve this and a number of related matters through reaching a settlement agreement to avoid the need for an opposition proceeding. The parties through counsel have previously been in contact on a number of occasions regarding the

ccnsidering of the possible settlement of this matter and a number of related matters. Counsel for the Applicant has voluntarily provided materials and information for the consideration of possible settlement and for reviewing possible settlement parameters to alleviate the need for the possible opposition proceedings. Materials and information were previously provided and have been reviewed by potential Opposer's counsel and his client in considering the possible settlement of this matter and of a series of related trademark applications. The attorneys for the parties have also discussed basic parameters for possible settlement and counsel for the parties remain optimistic that this matter could be resolved through settlement, as well as that continued focus at settlement appears to be appropriate at this time. The attorneys representing the parties have also discussed a possible meeting on the potential settlement which the parties are considering for the resolution of this application and for a series of related applications, but health issues, as well as other commitments have delayed the possible meeting. The attorneys with their respective clients are at present further considering possible settlement parameters with their respective clients. Additionally, this matter is somewhat complicated since it involves the resolution of the potential opposition regarding a series of related applications, especially since the parties are seeking a global resolution of

this and related matters. A meeting among counsel and other settlement communications needed to be previously delayed due to a continuing very serious medical condition of counsel for the Applicant which involved some recovery time or assistance from additional counsel. However, counsel for the Applicant is continuing to recover from the medical matter to a sufficient extent to allow for the parties to continue to progress on settlement related matters. The Potential Opposer has also specifically noted the specific progress on settlement from the date of the prior extension, since the Board has requested that it be advised of such progress for considering future extensions. This progress includes that counsel for the Opposer has scheduled travel with Opposer's lead in-house intellectual property law counsel for a personal meeting and potential conference call with Applicant's counsel for the potential resolution of this matter.

Counsel for the parties and their respective clients remain optimistic that suitable proposed parameters are believed to exist for the resolution of this matter. Counsel for the parties since the last extension has also proceeded to prepare a revised draft of the proposed settlement agreement for the potential resolution of this matter. Counsel for the Potential Opposer also requested clarification on certain issues for considering the commercial aspects for settlement and Applicant's counsel has agreed to, if available, provide such documentation or

information. Some delay in reviewing materials was encountered due to travel commitments by lead counsel for the Potential Opposer, as well as other commitments by in-house counsel for the Potential Opposer. Further, since the last extension, counsel for the Potential Opposer recently scheduled a meeting with the principal IP counsel for the Potential Opposer to review possible parameters for settlement and based upon that meeting a revised settlement agreement is being prepared. Somewhat of a further delay was encountered due, in part, to Potential Opposer's counsel's recent change of law firms and that Opposer's intellectual property in-house counsel needed to reschedule a prior date for a meeting among Opposer's counsel and a possible conference call with Applicant's counsel. However, it is believed that this matter could be settled with certain assurances within a settlement agreement and with potential suitable amendments in the description of goods in certain applications. Additional time is needed to allow time for the consideration of the proposed settlement and to review possible information, consider facts and review a possible resolution of this matter by counsel and their respective clients.

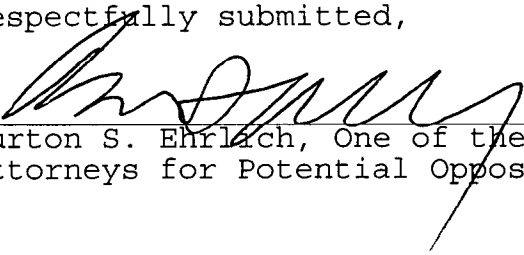
Applicant's counsel has provided prior telephone approval for this extension.

This extension is not for the purpose of delay.

This extension is being submitted in triplicate.

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Respectfully submitted,

  
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Burton S. Ehrlich, One of the  
Attorneys for Potential Opposer

(IN TRIPLICATE)

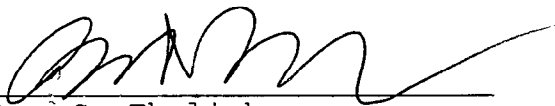
**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited (in triplicate) with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Box TTAB NO FEE; Assistant Commissioner for Trademarks, U.S. Trademark Office, 2900 Crystal Drive, Arlington, VA 22202-3513 on this 1st day of December, 2003.

  
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Burton S. Ehrlich

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing AGREED REQUEST FOR EXTENSION OF OPPOSITION PERIOD was deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mr. I. Walton Bader, Bader & Bader, 65 Court Street, White Plains, New York 10601-4200, this 1st day of December, 2003.

  
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Burton S. Ehrlich