


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

Applicant: @radical.media, inc.
Serial No.: 75/895,707
Trademark: @RADICAL
Filed: January 12, 2000
Published: April 17, 2001
Page: TM 390


12-09-2002
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

Box TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

NINTH STIPULATED REQUEST FOR EXTENSION OF TIME TO FILE
NOTICE OF OPPOSITION

Sir:

Radical Entertainment Inc., successor in interest to and by name change from, 574994 British Columbia Ltd., a Canadian corporation having its principal place of business at 369 Terminal Avenue, 8th Floor, Vancouver, British Columbia, Canada V6A 4C4 by and through its attorneys hereby requests that the Board grant a sixty (60) day extension of time to file a Notice of Opposition to registration of the @RADICAL trademark by Applicant in the above-referenced case. The opposition period is presently set to expire December 8, 2002, and the requested extension of time would re-set the opposition deadline to February 6, 2003, for Radical Entertainment Inc.

This extension is necessary in order for Applicant and Radical Entertainment Inc. to resolve this matter without a formal opposition. The contested issues between the parties have been significantly narrowed, but additional time is necessary to reach accord on the remaining issues in both this application and in thirteen other published applications filed by Applicant. The parties have recently decided that a formal agreement is not appropriate to resolve this matter and are instead negotiating amendment of the identification of goods and services in the applications at issue. Radical Entertainment Inc. believes that the large number of applications at issue and the progress toward settlement to date constitute extraordinary circumstances.


Melissa Georges, counsel for Applicant, stipulated to this extension by e-mail message addressed to the undersigned on May 10, 2002. A copy of this Request is being served on Melissa Georges and Jean Voutsinas.

This request is being submitted in triplicate as required by 37 C.F.R.

§ 2.102(d).

Respectfully submitted,

Dated: December 4, 2002

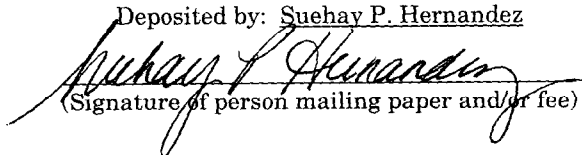


Jefferson F. Scher, Esq.
Joi A. White, Esq.
Attorneys for Potential Opposer
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Palo Alto, California 94303
(650) 812-3461

CERTIFICATE OF MAILING

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Box TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on December 4, 2002.

Deposited by: Suehay P. Hernandez



(Signature of person mailing paper and/or fee)

PROOF OF SERVICE BY MAIL

I declare that:

I am employed in the County of Santa Clara, California.

I am over the age of eighteen years and not a party to the within cause; my business address is 2225 East Bayshore Road, Suite 200, Palo Alto, California 94303. On December 4, 2002, I served the within NINTH STIPULATED REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope and placing the envelope for collection and mailing at the above address, following ordinary business practices, addressed as follows:

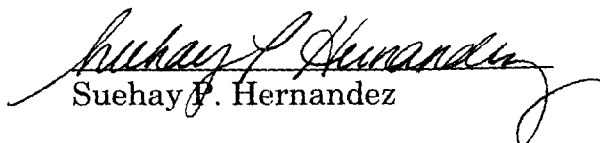
Melissa Georges
Frankfurt Garbus Kurnit Klein & Selz
488 Madison Avenue
New York, New York 10022

and

Jean Voutsinas
Frankfurt Garbus Kurnit Klein & Selz
488 Madison Avenue
New York, New York 10022

I am readily familiar with this business' practice for collection and processing of correspondence for mailing with the U.S. Postal Service. This correspondence would be deposited with the U.S. Postal Service this same day in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Palo Alto, California, this 4th day of December, 2002.


Suehay P. Hernandez

CARR & FERRELL LLP
ATTORNEYS AT LAW

December 4, 2002



WRITER'S DIRECT DIAL NUMBER

(650) 812-3461
jwhite@carr-ferrell.com

12-09-2002

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VIA FIRST CLASS MAIL

Box TTAB NO FEE
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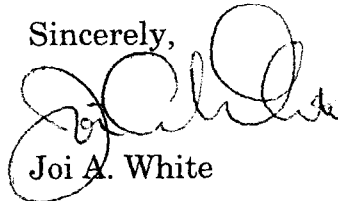
Re: Ninth Stipulated Request for Extension of Time to File Notice of Opposition to Registration of Serial No. 75/895,707 for @RADICAL in the name of @radical.media, inc. on behalf of Radical Entertainment Inc., successor in interest to and by name change from, 574994 British Columbia Ltd.
Attorney Docket No. L-0410/3 US

Dear Sir:

Enclosed for filing are the following: (1) Ninth Stipulated Request for Extension of Time to File Notice of Opposition; (2) two copies of the Request; (3) Proof of Service by Mail; (4) acknowledgement card; and (5) two copies of this letter.

Potential Opposer believes that no fees are due with this Request. However, should any additional fees be required to extend the deadline, please charge our Deposit Account No. 06-0600 for such necessary fees.

Sincerely,



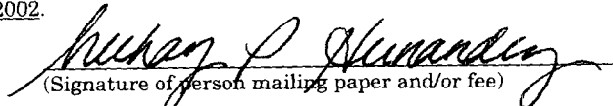
Joi A. White

JAW:sph
Enclosures
cc: Melissa Georges
Jean Voutsinas

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