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10-15-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #26

TRADEMARK

Docket No. 012410.9027

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

In the matter of:

KangarooNet, Inc.

Mark: ENTOPIA

Serial No.: 76/324502

Filing Date: October 12, 2001

Published Date: March 19, 2002

**CONSENTED REQUEST FOR EXTENSION OF TIME  
TO FILE A NOTICE OF OPPOSITION**

BOX TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Dear Sir:

Pursuant to 37 C.F.R. § 2.102(c) and T.B.M.P. 207.03, Netopia, Inc., a Delaware corporation, having a business address of 2470 Mariner Square Loop, Alameda, California 94568, by and through its attorneys, hereby requests that the Board grant a (30) thirty-day extension of time until November 14, 2002, to file a Notice of Opposition in the above-identified matter. On October 14, 2002, Andrew J. Gray IV, counsel for Applicant agreed and stipulated to this extension of time in a telephone conversation with counsel for Opposer. Such an extension is requested because the parties are presently evaluating an amicable resolution of this matter. Thus, the parties respectfully request that the Board grant this motion.

TRADEMARK TRIAL AND APPEAL BOARD  
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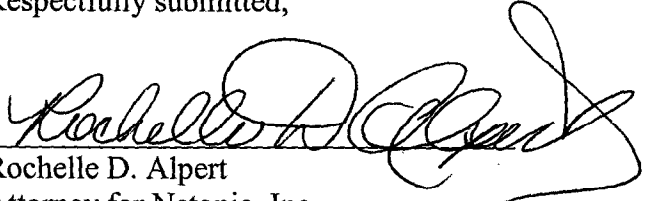
requested because the parties are presently evaluating an amicable resolution of this matter. Thus, the parties respectfully request that the Board grant this motion.

This request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Dated: October 14, 2002

Respectfully submitted,

By:

  
Rochelle D. Alpert  
Attorney for Netopia, Inc.

Brobeck, Phleger & Harrison LLP  
Spear Street Tower  
One Market  
San Francisco, CA 94105  
(415) 442-1326 (phone)  
(415) 442-1010 (fax)  
ralpert@brobeck.com (e-mail)

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

In the matter of:

KangarooNet, Inc.

Mark: ENTOPIA

Serial No.: 76/324,502

Filing Date: October 12, 2001

Published Date: March 19, 2002

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

BOX TTAB - NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513


Dear Sir:

Express Mail Label No.: EL910817646US

Date of Deposit: October 15, 2002

I hereby certify that the enclosed Consented Request for Extension of Time to File a Notice of Opposition (in triplicate) and receipt verification postcard are being deposited with the United States Postal Service Express Mail delivery as "Express Mail Post Office to Addressee" service under 37 C.F.R § 1.10 on the date indicated above, and is address to BOX TTAB - NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Respectfully submitted,

  
Jean Canedo

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PROOF OF SERVICE BY MAIL  
DEPOSIT AT BUSINESS

I, Jean Canedo, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Francisco, California. I am over the age of 18 years and not a party to this cause. My business address is Brobeck, Phleger & Harrison LLP, One Market, Spear Street Tower, San Francisco, California 94105.

On October 15, 2002, I served a copy(ies) of the following document(s):

CONSENTED REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF OPPOSITION

by placing them in a sealed envelope(s) addressed as follows:

**Attorney**

Andrew J. Gray  
Pennie & Edmond  
2200 Hillview Avenue  
Palo Alto, CA 94303

**Party(ies) Served**

KangarooNet, Inc.

I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Brobeck, Phleger & Harrison LLP, San Francisco, California. I am readily familiar with Brobeck, Phleger & Harrison LLP's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence (with postage fully prepaid) is deposited with the United States Postal Service the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 15, 2002, at San Francisco, California.

  
\_\_\_\_\_  
Jean Canedo