

01-30-2003

U.S. Patent & TMO/TM Mail Rpt. Dt. #40

TTAB

5422/71179

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

In the Matter of the Application of:

HELP/SYSTEMS INCORPORATED

Serial No.: 76/347121

Filed: December 10, 2001

Mark: ROBOT/DOMINO

Published in the Official Gazette: June 4, 2002

EXPRESS MAIL CERTIFICATE

Date 1/30/03 Label No. EV251488818-US

I hereby certify that, on the date indicated above, this paper or  
file was deposited with the U.S. Postal Service & that it was  
addressed for delivery to the Assistant Commissioner for  
Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513  
by "Express Mail Post Office to Addressee" service.

D. Davis  
Name (Print)

D. Davis  
Signature

**BOX TTAB  
NO FEE**

**CONSENT REQUEST TO EXTEND TIME  
FOR FILING NOTICE OF OPPOSITION**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Sir or Madam:

Potential Opposer International Business Machines Corporation, through its undersigned attorneys, respectfully requests that it be granted a thirty (30) day extension of time to file an opposition against the registration of the above-captioned application.

The time within which to file this opposition is set to expire on January 30, 2003. Potential Opposer respectfully requests that the time period within which to file an opposition be extended to and including **March 1, 2003**.

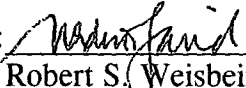
This request is not made for purposes of delay. Potential Opposer, the owner of the registered trademarks LOTUS NOTES and NOTES for computer software, requires additional time to consult with its counsel concerning the need for commencement of an opposition proceeding. Moreover, counsel for applicant, David C. West, Esq., agreed to this extension by telephone on January 30, 2003.

This request is submitted in triplicate in accordance with 37 C.F.R. § 2.101(d).

Respectfully submitted,

DARBY & DARBY P.C.

Date: January 30, 2003

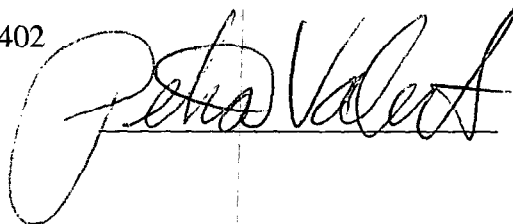
By:   
Robert S. Weisbein  
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805 Third Avenue  
New York, New York 10022  
(212) 527-7700

*Attorneys for Potential Opposer  
International Business Machines Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing CONSENT REQUEST TO EXTEND TIME TO FILE NOTICE OF OPPOSITION was served on January 30, 2003 via first class mail, postage prepaid, on the following counsel:

David C. West, Esq.  
Fredrikson & Byron, P.A.  
4000 Pillsbury Center  
200 South 6<sup>th</sup> Street  
Minneapolis, MN 55402

A handwritten signature in black ink, appearing to read "David C. West", written over a horizontal line.