


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

In re U.S. Trademark Application)
)
Pindar Systems, Inc.)
)
Serial No.: 76/376,074)
)
Filed: February 27, 2002)
)
Mark: **AGILITY FROM PINDAR**)
 SYSTEMS and Design)
)
Published: June 3, 2003)
_____)

Our Ref No.: 41644.012200


12-02-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

**BOX TTAB
NO FEE**

**REQUEST WITH CONSENT FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Potential Opposer, Anystream, Inc. ("Anystream"), with consent of Applicant, Pindar Systems, Inc., hereby requests that the Board grant an additional sixty (60) day extension of time for Anystream to file a Notice of Opposition to the registration of Serial No. 76/376,074 for the trademark AGILITY FROM PINDAR SYSTEMS and Design. The opposition period is presently set to expire on November 30, 2003,¹ and the requested extension of time would re-set the opposition deadline to **January 29, 2004**.

This extension is requested to allow the parties additional time to consider and negotiate a potential settlement that would obviate the need to oppose. It is respectfully submitted that this reason constitutes good cause within the meaning of 15 U.S.C. § 1063 and Rule 1.102(c) of the Trademark Rules of Practice. David L. Witcoff, Attorney for Applicant, consented to the requested extension by telephone on November 25, 2003.

¹ Since the November 30, 2003 deadline falls on a Sunday, the deadline for Potential Opposer to file a Notice of Opposition or a Request for Extension of Time is Monday, December 1, 2003. 37 C.F.R. § 1.7.

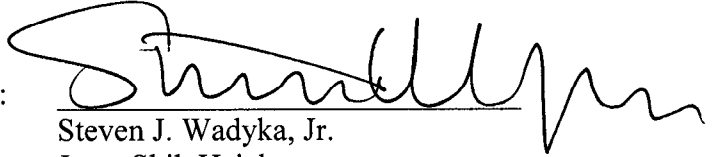
This request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

GREENBERG TRAURIG, LLP

Date: December 1, 2003

By:



Steven J. Wadyka, Jr.
Janet Shih Hajek

1750 Tysons Boulevard
Suite 1200
McLean, Virginia 22102
Tel: (703) 749-1300
Fax: (703) 749-1301

Attorneys for Potential Opposer
Anystream, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REQUEST WITH CONSENT FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION was served this 1st day of December, 2003, upon Applicant's counsel, David L. Witcoff, Esq., Jones Day, 77 West Wacker Drive, Suite 3500, Chicago, IL 60601-1692, by first class mail, postage prepaid.



Janet Shih Hajek

TTAB

GREENBERG
ATTORNEYS AT LAW
TRAURIG



12-02-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

December 1, 2003

Attorney Docket No. 41644.012200

VIA FIRST CLASS MAIL

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

**BOX TTAB
NO FEE**

Dear Sir:

Submitted herewith in triplicate is a Request with Consent for Extension of Time to File a Notice of Opposition to the registration of Serial No. 76/376,074 for the trademark **AGILITY FROM PINDAR SYSTEMS and Design** applied for by Pindar Systems, Inc.

Please direct all correspondence to Steven J. Wadyka, Jr., Esq., Greenberg Traurig, 1750 Tysons Blvd., 12th Floor, McLean, VA 22102.

If any fees are required in connection with the filing of this document, please charge Deposit Account No. 50-0653.

Respectfully Submitted,

Steven J. Wadyka, Jr.
Janet Shih Hajek

Greenberg Traurig, L.L.P.
1750 Tysons Blvd., 12th Floor
McLean, VA 22102
(703) 749-1307

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope to: **Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514**
on DECEMBER 1, 2003
by [Handwritten Signature]
SIGNATURE

cc: Anystream, Inc.