

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

In re Application of:	§
	§
American Power Conversion Corporation	§
	§ International Class 9
Serial No.: 78/187,367	§
	§ Published:
Filed: November 21, 2002	§ July 29, 2003
	§
Mark: RBC	§
	§

**SECOND STIPULATED REQUEST FOR EXTENSION
OF TIME TO FILE NOTICE OF OPPOSITION
180 DAYS FROM DATE OF PUBLICATION**

The undersigned attorneys, for and on behalf of prospective Opposer, Rechargeable Battery Recycling Corporation, of Atlanta, Georgia, hereby request that the Board grant a thirty (30) day extension of time for filing a Notice of Opposition in the above-identified matter pursuant to Section 13 of the Trademark Act of 1946, as amended (15 U.S.C. § 1063), and Trademark Rule 2.102(c).

The requested extensions of time do exceed 120 days from the date of publication, however, the consent of Applicant's representative has been obtained, as required by 37 C.F.R. §2.102.

The opposition deadline is presently set to expire on December 26, 2003. This extension would extend the deadline for filing an opposition until January 25, 2004.

The parties are continuing their discussions toward a possible resolution of this matter that may avoid the need for an opposition. It is believed that this constitutes good cause for the request.

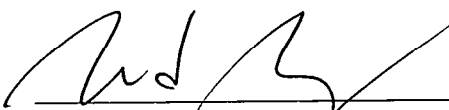
Counsel for Applicant, Stephen J. Holmes, expressly consented to the extension in a telephone conversation with the undersigned on December 19, 2003.

Therefore, the Board is urged to extend the opposition deadline to January 25, 2004.

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

Respectfully submitted,

RECHARGEABLE BATTERY RECYCLING CORPORATION

By: 

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Attorneys for Prospective Opposer,
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Date: 12/19/03



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December 22, 2003

VIA HAND DELIVERY

Commissioner for Trademarks
United States Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

ATTN.: BOX TTAB – NO FEE

Re: Request for Further Extension of Time for Filing Opposition against Application
Serial No. 78/187,367 – RBC
in the name of American Power Conversion Corporation

Dear Madam:

Enclosed please find the following documents for appropriate action by the Trademark Trial and Appeal Board:

1. Second Stipulated Request for Extension of Time to file Notice of Opposition 180 Days from Date of Publication (in triplicate); and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of the aforementioned documents, and that it be returned to our courier.

It is our understanding that a fee is not required. If a fee is required, the Commissioner for Trademarks is hereby authorized to withdraw funds from the deposit account of Howrey Simon Arnold & White (Account No. 08-3038). For accounting purposes, please reference Docket No. 06001.0032.000000/MSR.

06001.0032.000000
RBC
12/22/03

A duplicate copy of this letter is enclosed for billing purposes, if necessary.

Respectfully submitted,

Michelle S. Raynes

Michelle S. Raynes

Enclosures

cc: David B. Weinberg, Esq.
Deborah R. Coleman, Senior IP Paralegal