

TTAB

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

Applicant: Sunplus Technology Co., Ltd.

Serial No.: 78/267,615

Filed: June 26, 2003

Trademark: SUNMIDIAR

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Express Mail mailing label No. <u>EV381624775 US</u>
Date of Deposit <u>JULY 21, 2004</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Trademarks, 2900 Crystal Dr., Arlington, VA 22202-3514.
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<u>Maureen E. Ebertowski</u> (Signature of Person Mailing Paper or Fee)

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07-21-2004
U.S. Patent & TMOtc/TM Mail Rcpt Dt. #22

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

Madam:

Sun Microsystems, Inc., a Delaware corporation having its principal place of business at 4150 Network Circle, Santa Clara, California 95054, by and through its attorneys hereby requests that the Board grant an additional sixty (60) day extension of time to file a Notice of Opposition to registration of the SUNMIDIAR trademark by applicant in the above-referenced case. The opposition period is presently set to expire July 28, 2004, and the requested extension of time would re-set the opposition deadline

to September 26, 2004 for Sun Microsystems, Inc. However, as September 26, 2004 is a Sunday, a Notice of Opposition will be timely if filed on Monday, September 27, 2004. This is the second request for an extension of the opposition period in this matter and is in accordance with Trademark Rule 2.102 as amended.

This request is not made to unduly delay proceedings in the Patent and Trademark Office. The extension is required to provide additional time for counsel to consider the matter, gather information and to confer with the potential Opposer so that a decision can be made as to whether an opposition should be filed. Discussions have been initiated between the parties; however, additional time is necessary for further discussions to determine if an amicable settlement can be reached. It is believed that this constitutes good cause for the request.

In addition, Tu T. Tsao, Esq., one of the attorneys for potential Opposer, discussed this matter via telephone on July 21, 2004 with Jeffrey Epstein, one of the attorneys for Applicant, Sunplus Technology Co., Ltd., who has consented to the requested extension.

Respectfully submitted,

Dated: July 21, 2004

By: Tu Tsao

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PROOF OF SERVICE BY MAIL

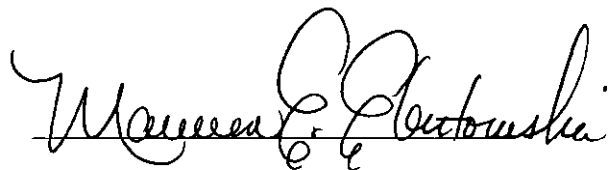
I declare that:

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 Silicon Valley Center, 801 California Street, Mountain View, California 94041. On the date indicated below, I served the within STIPULATED REQUEST FOR SECOND 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 with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Jeffrey H. Epstein, Esq.
Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036-6799

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 21st day of July, 2004.



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