

ESTTA Tracking number: **ESTTA120224**

Filing date: **01/18/2007**

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

Applicant:	RBC Bearings Inc.
Application Serial Number:	78745159
Application Filing Date:	11/02/2005
Mark:	400 SERIES
Date of Publication	12/26/2006

First 90 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Peer Bearing Company, 2200 Norman Drive South, Waukegan, IL 60085, UNITED STATES, a corporation organized under the laws of Illinois, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown.

Potential opposer believes that good cause is established for this request by:

- *Peer Bearing Company requests an extension of time of ninety (90) days in which to file an opposition to the application for registration by RBC Bearings Inc. of the term 400 SERIES for ball bearings for machines, motors, engines and tools. The reason for requesting this extension is that RBC Nice Bearings, Inc. and Roller Bearing Corporation of America, Inc., which are believed to be companies related to the applicant RBC Bearings Inc., have filed a lawsuit against Peer Bearing Company in the United States District Court for the District of Connecticut, Civil Action 3:06-CV-01380-MRK, which action is pending and unresolved. While the term 400 SERIES is not one of the series terms asserted to be trademarks by the plaintiffs in this lawsuit, the plaintiffs have asserted other that series terms in the lawsuit such as 600 SERIES, 1600 SERIES, 6900 SERIES, 7500 SERIES and 7600 SERIES are trademarks. All of these series terms, both those asserted and those not asserted, have been published for opposition in the name of RBC Bearings Inc. Accordingly, Peer Bearing Company requests an extension of time of ninety (90) days to investigate whether it will be damaged by the registration of the term 400 SERIES and to confer with counsel to determine whether it will need to file an opposition against this application for registration.*

The time within which to file a notice of opposition is set to expire on 01/25/2007. Peer Bearing Company respectfully requests that the time period within which to file an opposition be extended until 04/25/2007.

Respectfully submitted,
/edward m. keating/
01/18/2007

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