

TTAB

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

In the matter of
Trademark Application Serial No. 74/410,846
Mark: INTUITY

U.S. Patent & TMO/TM Mail Rcpt. Dt. #57
12-21-2001

INTUIT INC.)
)
) Opposer,)
)
) vs.)
)
)
) AVAYA INC.)
)
) (by assignment from Lucent Technologies, Inc.))
)
) Applicant.)

Opposition No. 94,134

Box TTAB NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

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Date of Deposit DECEMBER 21, 2001
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OPPOSER'S AMENDED NOTICE OF TESTIMONY DEPOSITION

Please take notice that, pursuant to Trademark Rule 2.123(c), Opposer, Intuit, Inc., by its attorney, will take the testimony deposition upon oral examination of its Senior IP Administrator, Mr. Todd Santos of 2535 Garcia Avenue, Mountain View, California 94043 on January 18, 2002 at 10:00 a.m. at the office of Fenwick & West LLP at Two Palo Alto Square, Palo Alto, California 94306. The deposition shall take place before a certified court reporter and shall continue until completed. You are invited to attend and cross-examine.

Respectfully submitted,

Dated: December 21, 2001

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th

PROOF OF SERVICE

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 Two Palo Alto Square, Suite 800, Palo Alto, California 94306. On December 7, 2001, I served the within OPPOSER'S AMENDED NOTICE OF TESTIMONY DEPOSITION, on the interested parties in said cause, by placing a true copy thereof as indicated below, addressed as follows:

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Corporate Counsel
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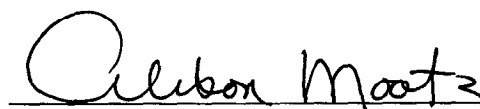
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I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Palo Alto, California, this 21st day of December, 2001.


Alison Mootz