

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

01-16-2002
U.S. Patent & TMO/TM Mail Rcpt Dt. #74

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

Opposer,

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 1/16/02
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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 24, 2002 at 10:00 a.m. at the
office of Fenwick & West LLP at Two Palo Alto Square, Palo Alto, California 94306.
The deposition had been scheduled for January 18, 2002. 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: January 16, 2002

Linda G. Henry
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Linda G. Henry, Esq.
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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 January 16, 2002, 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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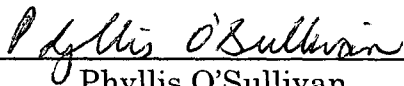
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I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Palo Alto, California, this 16th day of January, 2002.



Phyllis O'Sullivan