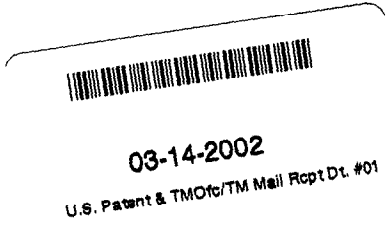


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF Trademark Application Serial No. 76/069,183
 For the Mark: My State Quarter
 Published in the Official Gazette on: 2/20/01

UNITED STATES MINT)
)
 Opposer)
)
 v.)
)
 NAPCO, INCORPORATED)
)
 Applicant)
)

Opposition No. 122,734



Greg M. Weinman
 James L. Adler
 UNITED STATES MINT
 801 9th Street, NW
 Washington, DC 20220
 (202) 354-7407
Attorneys for Opposer

Francis M. Pinckney
 Clifford R. Jarrett
 KENNEDY COVINGTON LOBDELL & HICKMAN, L.L.P.
 4200 Bank of America Corporate Center
 100 North Tryon Street
 Charlotte, NC 28202-4006
 (704) 331-7400
Attorneys for Applicant

MOTION FOR INVOLUNTARY DISMISSAL

Pursuant to Trademark Rule 2.132, Applicant/Defendant, NAPCO, Inc. hereby moves the Trademark Trial and Appeal Board for an involuntary dismissal of Opposer/Plaintiff's Opposition. In support of this motion, Applicant/Defendant shows the following:

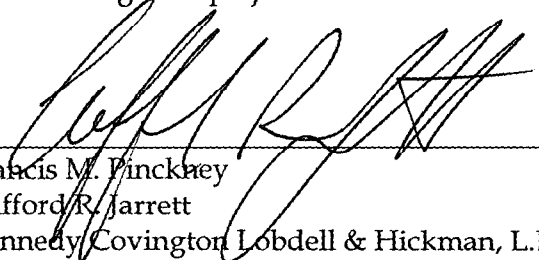
1. Opposer's testimony period expired on February 23, 2002 and Opposer has not taken any testimony or offered any other evidence in this Opposition. A copy of the Order setting forth the applicable discovery and testimony periods is attached hereto as Exhibit A.

2. Opposer has not sought any further extensions of time for its discovery or its testimony period which expired on February 23, 2002.

3. This Motion is filed after the expiration of Opposer's testimony period and prior to the beginning of Applicant's testimony period.

WHEREFORE, pursuant to the provisions of Trademark Rule 2.132, as supported by the facts set out herein, Applicant/Defendant respectfully requests that the Trademark Trial and Appeal Board dismiss this Opposition proceeding with prejudice.

This 12th day of March, 2002.




Francis M. Pinckney
Clifford R. Jarrett
Kennedy Covington Lobdell & Hickman, L.L.P.
4200 Bank of America Corporate Center
100 North Tryon Street
Charlotte, NC 28202-4006
(704) 331-7400

Attorneys for Applicant/Defendant

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

On:
3/12/02
Date 
Attorney for Applicant

CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)

I hereby certify that the foregoing Applicant's Motion for Involuntary Dismissal, in the matter of Trademark Opposition No. 122,734, United States Mint, Opposer, is being deposited with the United States Postal Service, with sufficient postage as first class mail in an envelope addressed to:

Greg M. Weinman
James L. Adler
UNITED STATES MINT
801 9th Street, NW
Washington, DC 20220
(202) 354-7407

This 12th day of March, 2002.



Clifford R. Jarrett
Attorney for Applicant/Defendant
KENNEDY COVINGTON LOBDELL & HICKMAN
4200 Bank of America Corporate Center
100 North Tryon Street
Charlotte, NC 28202-4006
(704) 331-7400

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UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

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MAY 9 2001
PAT. & T.M. OFFICE

Plaintiff's attorney:
Greg M. Weinman
UNITES STATES MINT
801 9th Street, NW
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Defendant's attorney:
Francis M. Pinckney
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Paper No. 3

Opposition No 122,734

Serial No. 76/069,183

Unites States Mint

v.

NAPCO, Inc.



03-14-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #01

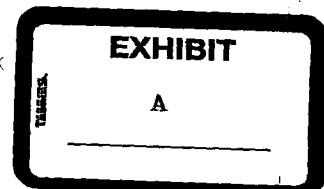
A notice of opposition to the registration sought in the above-identified application has been filed. A copy of the notice is attached.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Patent and Trademark Rule 1.7 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that became effective October 9, 1998. See Notice of Final Rulemaking published in the *Official Gazette* on September 29, 1998 at 1214 TMOG 145. Slight corrections to the rules, resulting in a correction notice, were published in the *Official Gazette* on October 20, 1998 at 1215 TMOG 64. A copy of the recent amendments to the Trademark Rules, as well as the *Trademark Trial and Appeal Board Manual of Procedure (TBMP)*, is available at <http://www.uspto.gov>.

Discovery and testimony periods are set as follows:

DOCKETED
for June 18, 2001
ZMC



Discovery period to open: May 29, 2001

Discovery period to close: November 25, 2001

30-day testimony period for party
in position of plaintiff to close: February 23, 2002

30-day testimony period for party
in position of defendant to close: April 24, 2002

15-day rebuttal testimony period
for plaintiff to close: June 8, 2002

DOCKETED
RME

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). A hard copy of the *Official Gazette* containing this notice is available for a fee from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (Telephone (202) 512-1800). The notice is also available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such

proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

A handwritten signature in black ink, appearing to be a stylized name, possibly 'Sandra Thompson', written above the typed name.

Sandra Thompson
Legal Assistant,
Trademark Trial and
Appeal Board
(703) 308-9300, ext.135

TTAB

Kennedy Covington
ATTORNEYS AT LAW

Clifford R. Jarrett
704/331-7531
cjarrett@kennedycovington.com

March 12, 2002

Assistant Commissioner for Trademarks
Trademark Trial and Appeal Board
ATTN: Sandra Thompson
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513



03-14-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #01

Re: United States Mint v. Napco, Incorporated
Trademark Application Serial No. 76/069,183
Opposition No. 122,734

Dear Mrs. Thompson:

Enclosed for filing is a Motion for Involuntary Dismissal in the above-referenced matter. I have enclosed a self-addressed, stamped envelope for the return of a filed-stamped copy of the Motion.

Thank you for your attention to this matter.

Very truly yours,

Clifford R. Jarrett (wgp)

Clifford R. Jarrett
For the Firm

CRJ/wgp
Enclosures