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

01 JUN 26 AM 9:33

NEW BALANCE ATHLETIC SHOE, INC., Opposer,	:	
v.	:	Opposition No. 122,837 to
H. JOHN CAMPAIGN, Applicant.	:	Serial No. 76/024,587

06-22-2001
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #73

Honorable Commissioner for Trademarks
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

MOTION TO EXTEND APPLICANT'S TIME TO ANSWER NOTICE OF OPPOSITION

S I R :

Applicant hereby moves the Board for an Extension of Time to Answer the Notice of Opposition in order to obtain Opposer's Responses to Applicant's First Set of Discovery Requests, served by fax and mail on June 1, 2001 on Opposer's attorney-of-record. In particular, Applicant wishes to reinforce, by Opposer's Responses, its grounds for a counterclaim for cancellation, based on abandonment of the marks covered by Opposer's pleaded registrations.

WHEREFORE, Applicant prays that its time to answer the Notice of Opposition be extended for a period of thirty (30) days after service of Opposer's Responses to Applicant's First Set of Discovery Requests or, in the alternative, for thirty (30) days from the current due date of June 20, 2001 to July 20, 2001.

Respectfully Submitted,

Dated: June 20, 2001

By: _____
GRAHAM, CAMPAIGN P.C.
Attorneys for Applicant
36 West 44th Street
New York, New York 10036-8178
(212) 354-5650

AUA

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing MOTION TO EXTEND APPLICANT'S TIME TO ANSWER NOTICE OF OPPOSITION in Opposition No. 122,837 is being deposited with the U.S. Postal Service, via first-class mail, with sufficient postage prepaid, in an envelope addressed to: BOX TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, this 20th day of June 2001.

Dated: June 20, 2001
New York, NY

By _____
SANDRA VON BENKEN

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION TO EXTEND APPLICANT'S TIME TO ANSWER NOTICE OF OPPOSITION in Opposition No. 122,837, was served by first class mail, postage prepaid, this 20th day of June, 2001, upon Opposer's attorney of record:

Jeremiah Lynch, Esq.
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Fax No. (617) 742-4214

Dated: June 20, 2001
New York, NY

By _____
SANDRA VON BENKEN