

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

Zeeks, Inc. )  
Opposer ) Opposition No.: 124,752  
V. )  
Hyperion Solutions ) Serial No.: 76/042,824  
Corporation. ) Mark: POINT 'N SYNC  
Applicant ) Filed: May 8, 2000

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

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on April 8, 2002.  
By: Carol Prentice  
Carol Prentice

**SECOND CONSENTED TO MOTION FOR AN EXTENSION OF TIME  
TO ANSWER OR OTHERWISE PLEAD**

Hyperion Solutions Corporation, the Applicant in the above-identified trademark opposition, hereby requests a further one-month extension of time to answer or otherwise plead in response to the Notice of Opposition mailed on February 1, 2002, up to and including May 12, 2002.

On February 26, 2002 the TTAB approved Applicant's Consented to Motion for an Extension of Time to Answer or Otherwise Plead, dated February 15, 2002, thereby extending Applicant's time to answer to April 12, 2002.

The parties are engaged in good faith settlement discussions and this second extension of time is necessary in order for the Applicant to carefully review and consider a draft Settlement Agreement received from Opposer's counsel on April 5, 2002.

Agreement to this Motion for Extension of Time was reached by the parties during a telephone conversation between Opposer's counsel Phillip Baker-Shenk, Esq. And Rebecca L. Roby, Esq. of Dorsey & Whitney LLP and Applicant's undersigned counsel on April 5, 2002.

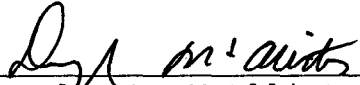
Applicant also requests a corresponding extension of the remaining case deadlines as follows:

Discovery period to open:	APRIL 21, 2002
Discovery period to close:	OCTOBER 20, 2002
30-day testimony period for party in position of plaintiff to close;	JANUARY 18, 2003
30-day testimony period for party in position of defendant to close;	MARCH 18, 2003
15-day rebuttal testimony period for plaintiff to close:	MAY 3, 2003

This Motion is being submitted in triplicate for the convenience of the TTAB.

Approval of this Consented to Motion for Extension of Time is respectfully requested.

Respectfully submitted,  
**HYPERION SOLUTIONS CORPORATION**

BY:   
Douglas M. McAllister  
Registration No. 37,886  
Attorney for Opposer  
Law Office of Barry R. Lipsitz  
755 Main Street  
Monroe, CT 06468  
(203) 459-0200

Opposition No.: 124,752  
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April 8, 2002

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and complete copy of the foregoing CONSENTED TO MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD was mailed first-class postage prepaid, this 8th day of April, 2002 to:

Rebecca L. Roby Esq.  
Dorsey & Whitney LLP  
1001 Pennsylvania Avenue, N.W.  
Suite 300 South  
Washington, D.C. 20004

Attorney for Opposer.

  
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Douglas M. McAllister

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By: *Carol Prentice*  
Carol Prentice

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

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed please find the following documents:

- Return receipt postage prepaid postcard
- Second Consented To Motion For An Extension Of Time To Answer Or Otherwise Plead (in triplicate)

Respectfully submitted,

*Douglas M. McAllister*  
Douglas M. McAllister  
Registration No. 37,886  
Attorney for Opposer  
Law Office of Barry R. Lipsitz  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

**IMRS-334**  
**Date: April 8, 2002**

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