

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

Wagner Spray Tech Corporation,

Opposition No. 125,525

Opposer,

v.

**SECOND STIPULATED MOTION TO
ALLOW DEPOSITION TO BE TAKEN
AFTER DISCOVERY DEADLINE**

Graco Inc.,

Applicant.

01-21-2003

U.S. Patent & TMOfo/TM Mail Rcpt. Dt. #40

WHEREAS, the discovery period in the above-captioned Opposition closed on January 7, 2003; and

WHEREAS, opposer Wagner Spray Tech Corporation ("Wagner") had theretofore indicated an interest in taking a discovery deposition of Ivan Ross; and

WHEREAS, Wagner and applicant Graco Inc. previously stipulated that, in order to accommodate certain scheduling interests, it will be useful for the discovery deposition of Ivan Ross to be taken after the close of the discovery period, but not later than January 24, 2003;

WHEREAS, Wagner and Graco now agree that, in order to accommodate certain scheduling interests, it will be useful to the discovery deposition of Ivan Ross to be taken on February 4, 2003;

CERTIFICATE OF MAILING
37 C.F.R. 1.8

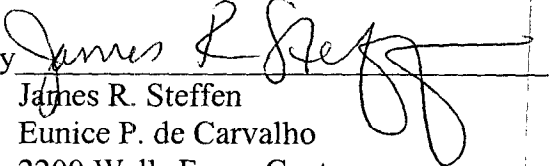
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on the date below:

Date: 1/15/03 *Tammy J. McCanna*
Tammy J. McCanna

NOW, THEREFORE, the parties join in this stipulated motion to allow the discovery deposition of Ivan Ross to be taken after the January 7, 2003 close of the discovery period, but not later than February 4, 2003.

Dated: January 13, 2003


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**Attorneys for Opposer
Wagner Spray Tech Corporation**

Dated: January 15, 2003

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Attorneys for Applicant Graco Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the following document:

Second Stipulated Motion to Allow Deposition
to be Taken After Discovery Deadline

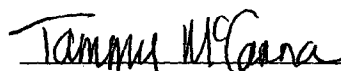
has been served upon the following counsel on the 15th day of January, 2003, directed to said counsel at the following address and in the below manner:

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VIA FIRST CLASS MAIL

Dated: January 15, 2003

Respectfully submitted,



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TTAB

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1855-1930

W.K. Richardson
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01-21-2003

U.S. Patent & TMO/TM Mail Rcpt. Dt. #40

January 15, 2003

BOX TTAB – NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

Re:
Opposition No: 125,525
Opposer: Wagner Spray Tech Corporation
Applicant: Graco Inc.
Our Ref. No.: 12243-002001

CERTIFICATE OF MAILING
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Date: 1/15/03
Tammy J. McCanna
Tammy J. McCanna



BOSTON
DALLAS
DELAWARE
NEW YORK
SAN DIEGO
SILICON VALLEY
TWIN CITIES
WASHINGTON, DC

Dear Sir or Madam:

Enclosed for filing in connection with the above-referenced application are:

- 1) Second Stipulated Motion to Allow Deposition to be Taken after Discovery Deadline; and
- 2) Postcard to acknowledge receipt of these materials.

Please date stamp and return the enclosed postcard to acknowledge receipt of these materials. Should any fees be required relating to the enclosed document, the Honorable Commissioner for Trademarks is authorized to deduct said fees from Fish & Richardson Deposit Account No. 06-1050 with reference to 12243-002001

Very truly yours,

Gregory M. Krakau

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