

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

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Wagner Spray Tech Corporation,

Opposition No. 125,525

Opposer,

v.

**CONSENTED MOTION TO EXTEND  
DISCOVERY DEADLINE**

Graco Inc.,

Applicant.

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Opposer Wagner Spray Tech Corporation hereby moves, with the consent of Applicant Graco, Inc., for a 30 day extension of the discovery period in the above-captioned opposition. The purpose of the consented extension request is not to seek delay of the proceeding as evidenced by the fact that no extension of the testimony period is sought, but instead the consented extension request is made to reasonably accommodate the schedules of the witnesses needing to be deposed within the discovery period.

If this Consented Motion to Extend is granted, the remaining discovery and testimony dates will be as follows:

Discovery period to close:	January 7, 2003
Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto)	March 7, 2003
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	May 6, 2003
Rebuttal testimony period to close: (opening fifteen days prior thereto)	June 20, 2003

Counsel for Applicant consented to this motion via telephone conference on  
November 22, 2002.

Dated: November 27, 2002

**FAEGRE & BENSON LLP**

By Eunice P. de Carvalho

James R. Steffen

Eunice P. de Carvalho

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**Attorneys for Opposer**

**Wagner Spray Tech Corporation**

M2:20506620.01

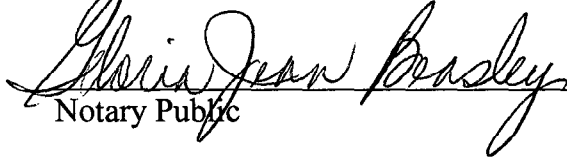
**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing **Consented Motion to Extend Discovery Deadline** has been sent via First Class mail this 27<sup>th</sup> day of November, 2002, postage pre-paid, to Applicant's attorney of record.

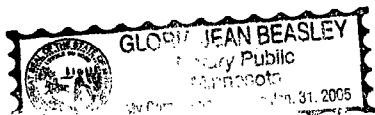
Stephen R. Baird, Esq.  
Fish & Richardson P.C., P.A.  
300 Dain Rauscher Plaza  
60 South Sixth Street  
Minneapolis, MN 55402

  
Eunice P. de Carvalho

Subscribed and sworn to before me  
this 27<sup>th</sup> day of November 2002.

  
Notary Public

M2:20506620.01



**IN THE UNITED STATES PATENT AND  
BEFORE THE TRADEMARK TRIAL**

12-02-2002

CE

U.S. Patent & TMO/TM Mail Rcpt Dt. #7D

In the Matter of Trademark Application Serial No. 75/621,248  
For the Mark: The mark consists of the color blue as applied to the exterior of the housing  
and other external parts of the housing for the pump motor and processor  
compartment of airless paint sprayers.

Filed: January 13, 1999

Date of Publication: March 26, 2002

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WAGNER SPRAY TECH CORPORATION  
Opposer,

Opposition No. 125,525

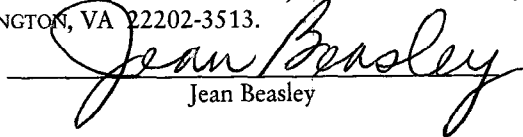
vs.

GRACO INC.,

Applicant.  
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Box TTAB  
NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

I CERTIFY THAT, ON NOVEMBER 27, 2002, THIS PAPER IS  
BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST  
CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE  
COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE,  
ARLINGTON, VA 22202-3513.

  
Jean Beasley

**TRANSMITTAL LETTER**

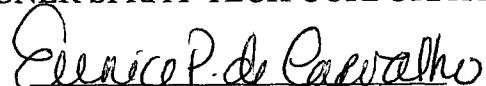
Enclosed for filing are the following papers in connection with the above-identified  
trademark application:

- Original and one duplicate copy of the Consented Motion to Extend Discovery  
Deadline;
- Certificate of service; and
- Postcard.

A self-addressed return postcard in accordance with T.M.E.P. Section 703  
itemizing all of the above-referenced documents filed with the United States  
Patent and Trademark Office.

Respectfully Submitted,

WAGNER SPRAY TECH CORPORATION

By: 

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Dated: November 27, 2002

M2:20506683.01