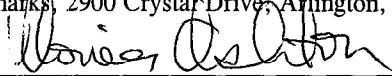


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TRADEMARK

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited within the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202 on August 28, 2002.



Monica H. Ashton

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

VITALITY FOODSERVICE, INC.

Opposer

v.

RED BULL GMBH,

Applicant.

Opposition No. 150,455

Trademark: **VITALIZES**

Serial No.: 76/139,362



08-30-2002

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #11

STIPULATED MOTION TO EXTEND DISCOVERY AND TRIAL DATES

Opposer, with the consent of Applicant, hereby moves the Trademark Trial and Appeal Board to reset the testimony periods in the above-identified proceeding as follows:

Time for discovery to close: November 4, 2002

Testimony period for party in position of plaintiff to close (opening 30 days prior thereto): February 2, 2003

Testimony period for party in position of defendant to close (opening 30 days prior thereto): April 1, 2003

Rebuttal testimony to close (opening 15 days prior thereto): May 15, 2003

U.S. PATENT & TRADEMARK OFFICE
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TRADEMARK TRIAL AND APPEAL BOARD

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The parties will use the additional time to explore possible settlement opportunities and to exchange literature and information. This stipulated motion was agreed to by Opposer's attorney, C. Douglas McDonald, Esq. of Carlton Fields, P.A. on August 28, 2002.

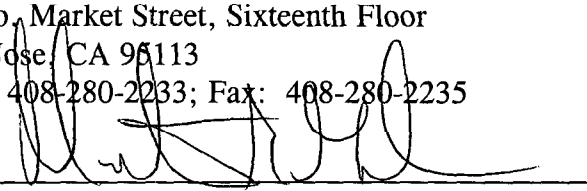
It is submitted that in view of the foregoing, good cause has been shown for this Request, and it is respectfully requested that the motion be granted.

In addition, the parties have agreed that the time for Applicant to respond to Opposer's (combined) First Set of Interrogatories and Requests for Production of Documents is extended by thirty (30) days to October 3, 2002. This request is being submitted in triplicate.

Dated: August 28, 2002

Respectfully submitted,
MARTIN R. GREENSTEIN
NEIL D. GREENSTEIN
TECHMARK
55 So. Market Street, Sixteenth Floor
San Jose, CA 95113
Tel: 408-280-2233; Fax: 408-280-2235

By


Martin R. Greenstein
Attorneys for Applicant, Red Bull GmbH

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **STIPULATED MOTION TO FURTHER EXTEND DISCOVERY AND TRIAL DATES** is being served on August 28, 2002, on counsel for Applicant by deposit of same in the United States Mail, first class postage prepaid, in an envelope addressed to:

C. Douglas McDonald, Esq.
Carlton Fields, P.A.
Post Office Box 3239
Tampa, Florida 33601
Tel: 813-223-7000 Fax: 813-229-4133


Martin R. Greenstein