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

Niles Audio Corporation)
Opposer,)
vs.)
Liebert Corporation,)
Applicant.)

Opposition No.: 91150731
Serial No.: 76/071,958
Mark: INTELICONTROL

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Box TTAB, NO FEE
Assistant Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

**JOINT MOTION AND STIPULATION TO EXTEND THE CLOSE OF DISCOVERY
AND TO RE-SET TESTIMONY PERIODS**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the above-identified action, and with the approval of this Honorable Board, that the close of discovery be extended 45 days from August 15, 2003 up to and including September 29, 2003.

It is also stipulated and agreed, by and between the parties to the above-identified action, and with the approval of this Honorable Board, that the testimony periods be re-set as follows:

Testimony period for party in
Position of plaintiff to close: December 29, 2003

Testimony period for party in
Position of defendant to close: February 26, 2004

Rebuttal testimony period to close: April 12, 2004

This motion is made on grounds that the parties require additional time to respond to outstanding discovery and to conduct further discovery in order to adequately prepare Briefs. The



parties believe that it is appropriate to extend discovery and re-set the testimony dates as requested. Accordingly, the parties respectfully request that the Board grant this motion so that the parties may conclude their discovery and testimony.

Counsel for Applicant, Jerry K. Mueller, Esq. of Mueller & Smith, LPA, has given his approval via telephone and e-mail as to this Joint Motion and Stipulation.

Respectfully submitted this 24th day of July, 2003,

LOTT & FRIEDLAND, P.A.



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Counsel for Opposer Niles Audio Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing **JOINT MOTION AND STIPULATION TO EXTEND THE CLOSE OF DISCOVERY AND TO RE-SET TESTIMONY PERIODS** is being served upon Applicant by delivering a true and correct copy of same to counsel for Applicant as follows:

Jerry K. Mueller, Jr., Esq.
Mueller and Smith, L.P.A.
7700 Rivers Edge Drive
Columbus, OH 43235-1355

via United States First Class mail, in a postage-paid envelope, on July 24, 2003.



Uzy Fischer