



05-23-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #71

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

In the matter of Application No. 76/071,958

Date of Publication: September 18, 2001

<p>NILES AUDIO CORPORATION Opposer, v. LIEBERT CORPORATION Applicant</p>
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Opposition No. 91150731

TRADEMARK TRIAL AND
APPEAL BOARD
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THIRD REQUEST FOR EXTENSION OF ANSWER AND TRIAL DATES

Counsel for the Applicant hereby requests that the answer, discovery, and trial dates in this proceeding be extended an additional two months and reset as noted below:

Answer due	July 29, 2002
Period for Discovery to open	July 8, 2002
Period for Discovery to close	December 30, 2002
Testimony period for party in position of plaintiff to close	March 31, 2003
Testimony period for party in position of defendant to close	May 28, 2003
Rebuttal testimony period to close	July 14, 2003

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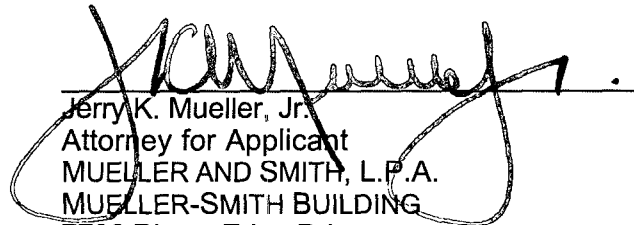
Briefs shall be filed in accordance with Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Rule 2.129.

The reason for this extension is that Applicant and Opposer still are in negotiations for settlement. It is believed that if settlement is possible, that it will be accomplished within the additional extension time requested herein.

Opposer has agreed to this third extension of time.

This extension is not for the purpose of mere delay, but is necessary for the good cause indicated above.

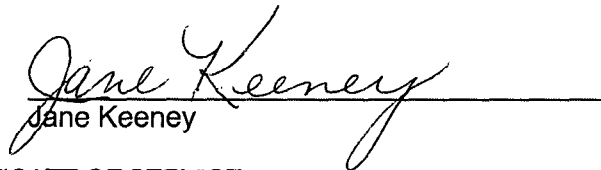
Respectfully submitted,


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CERTIFICATE OF MAILING BY EXPRESS MAIL
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I hereby certify that this trademark application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above, addressed to:

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Jane Keeney

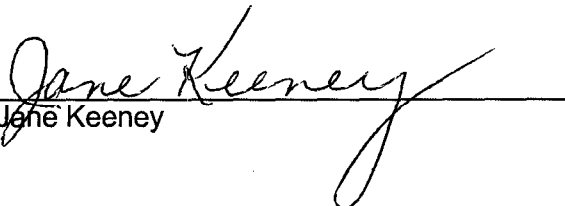
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing "REQUEST FOR EXTENSION OF ANSWER AND TRIAL DATES" was served upon Opposer's attorneys of record on May 23, 2002 by depositing a copy of same with the U.S. Postal Service, as first class mail, postage prepaid, in an envelope addressed to:

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