

TTAB



06-17-2002

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

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Edwards (Name)

June 13, 2002 (Date)

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

AERIS COMMUNICATIONS, INC.)
)
Opposer,)
)
v.)
)
MICROBURST TECHNOLOGIES, INC.)
)
Applicant.)

Opposition No. 91151048

TRADEMARK TRIAL AND
APPEAL BOARD
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**STIPULATED MOTION FOR EXTENSION OF DATE TO ANSWER NOTICE OF
OPPOSITION AND TRIAL DATES**

Aeris Communications, Inc. ("Opposer"), by and through its counsel, hereby requests that the date to answer the Notice of Opposition and the trial dates in this Opposition be extended for thirty (30) days as set forth below.

This extension is necessary to allow Opposer and Applicant to continue settlement negotiations. This request is not made for the purpose of delay.

STIPULATED MOTION FOR EXTENSION OF DATE TO
ANSWER NOTICE OF OPPOSITION AND TRIAL DATES
Opposition No. 91151048

Counsel for Microburst Technologies, Inc., William J. Kananack, and the undersigned
agreed to this request for extension of time in a telephone conversation on June 12, 2002.

	CURRENT DATE	REQUESTED DATE
Answer to Notice of Opposition	June 17, 2002	July 17, 2002
Discovery to Open	May 30, 2002	June 29, 2002
Discovery to close	November 26, 2002	December 26, 2002
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	February 24, 2003	March 26, 2003
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	April 25, 2003	May 25, 2003
Rebuttal testimony period to close (opening fifteen days prior thereto)	June 9, 2003	July 9, 2003

Briefs shall be filed in accordance with Rule 2.128 (a) and (b).

This request is being submitted in triplicate pursuant to the applicable rules.

Respectfully submitted,

COOLEY GODWARD LLP

Dated:

June 13, 2002

By:

Anne H. Peck
Anne H. Peck

Attorneys for Opposer
Aeris Communications, Inc.
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155

STIPULATED MOTION FOR EXTENSION OF DATE TO
ANSWER NOTICE OF OPPOSITION AND TRIAL DATES
Opposition No. 91151048


CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Opposer's STIPULATED MOTION FOR EXTENSION OF DATES TO ANSWER NOTICE OF OPPOSITION AND TRIAL DATES was mailed first-class, postage prepaid, to counsel for Applicant:

William J. Kananack, Esq.
Law Offices of William J. Kananack
Suite 600
One Harbor Place
South Harbor City Blvd.
Melbourne, FL. 32901

Date: June 13, 2002

By:

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