

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

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Wal-Mart Stores, Inc.

v.

Opposition No. 91/150,278  
Opposition No. 91/154,632

Franklin Loufrani

Franklin Loufrani

v.

Opposition No. 91/152,145

Wal-Mart Stores, Inc.

06-01-2004

U.S. Patent & TMO/tm Mail Rpt Dt. #22

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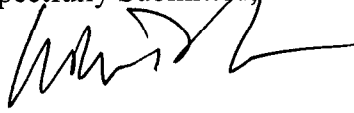
**WAL-MART STORES, INC.'S OPPOSITION TO FRANKLIN LOUFRANI'S  
MOTION TO EXTEND DISCOVERY AND TRIAL SCHEDULE**

Wal-Mart Stores, Inc., ("Wal-Mart") by and through counsel, submits this Opposition to Franklin Loufrani's ("Loufrani") Motion to Extend Discovery and Trial Schedule.

The Oppositions in these consolidated proceedings have been pending for well over a year, and the discovery and trial deadlines have been changed, at the parties' request, several times. Wal-Mart had agreed to the previous sixty-day extension to allow the parties to proceed with settlement discussions, but feels that further delay is not warranted. Because the parties have thus far been unable settle this matter, Wal-Mart

wishes to move forward with these proceedings.

Respectfully Submitted,



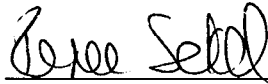
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William D. Coston  
Renee A. Sekel  
Venable LLP  
575 7<sup>th</sup> Street, NW  
Washington, DC 20004  
(202) 344-4000 (phone)  
(202) 344-8300 (fax)

**CERTIFICATE OF SERVICE**

I hereby certify that, this 1<sup>st</sup> day of June, 2004, I caused a copy of the foregoing Wal-Mart's Opposition to Franklin Loufrani's Motion to Extend Discovery and Trial Schedule to be served, via United States mail, upon:

Mary Catherine Merz, Esq.  
Merz & Associates, P.C.  
1140 Lake Street, Suit 304  
Oak Park, IL 60301-1051



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Renee A. Sekel

TTAB

202-344-8239

rasekel@venable.com



June 1, 2004



06-01-2004

U.S. Patent & TMOtc/TM Mail RcptDt. #22

Assistant Commissioner for Trademarks  
United States Patent and Trademark Office  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Attention: BOX TTAB – NO FEE

Re: Opposition No.: 150,278  
Mark: Smiley and Happy Face Design

Dear Sir or Madam:

Attached hereto are the following:

WAL-MART STORES, INC.'S OPPOSITION TO FRANKLIN LOUFRANI'S  
MOTION TO EXTEND DISCOVERY AND TRIAL SCHEDULE

Please direct all communication regarding this matter to the undersigned at the above address.

Please charge any fees to Deposit Account No. 22-0261.

Respectfully submitted,

Renee A. Sekel

Attachment

cc: Mary Catherine Merz, Esq.

DC2\552466