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08-22-2003

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

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

GIBSON PIANO VENTURES, INC.,)
Opposer,)
v.)
MUSICAL PROPERTIES, INC.,)
Applicant.)

Opposition No.: 91153716
Serial No.: 78/099,091

08 SEP 03 10 53 AM '03
U.S. PATENT & TRADEMARK OFFICE

THIRD AGREED MOTION TO EXTEND DISCOVERY

Applicant Musical Properties, Inc. ("Applicant") with the agreement of the Opposer Gibson Piano Ventures, Inc. ("Opposer") hereby moves the Board pursuant to Fed. R. Civ. P. 6(b)(1), 29 and Trademark Trial and Appeal Board Manual of Procedure 403.04 to extend the closing date of the discovery period by thirty (30) days to **September 24, 2003**. In support of this motion, Applicant further states:

1. On June 26, 2003, the parties filed a Second Stipulated Motion to Extend Discovery/Testimony Periods that sought to extend the closing date of the discovery period to August 25, 2003.

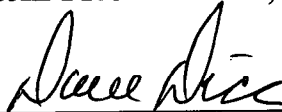
2. On July 24, 2003, the Board granted such motion and entered a stipulated protective agreement in this matter.

3. The parties have agreed that additional time is needed to complete discovery now that the protective agreement has been entered by the Board.

4. This extension was discussed and agreed to by David J. Dicker, Esquire, counsel for Applicant, and Edward D. Lanquist, Jr., Esquire, counsel for Opposer, in communications on August 21, 2003.

WHEREFORE, Applicant, with the agreement of Opposer, respectfully requests that the Board extend the closing date of the discovery period to September 24, 2003 and grant such other relief as it deems necessary and just.

MUSICAL PROPERTIES, INC.

By: 
One of its attorneys

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David J. Dicker
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Certificate of Service

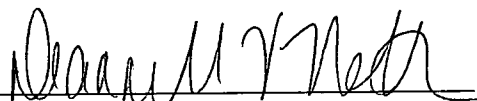
I hereby certify that a copy of the foregoing was served by mail first class, postage prepaid on August 22, 2003, to Edward D. Lanquist, Jr., Waddy & Patterson, 414 Union Street 2020, NationsBank Plaza, Nashville, Tennessee 37219, attorneys for Opposer.

A handwritten signature in cursive script, reading "David J. Dicker", written over a horizontal line.

David J. Dicker

Certificate of Express Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service by Express Mail No. EL541139630US in an envelope addressed to the Assistant Commissioner for Trademarks, Box TTAB - NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513 on August 21, 2003.


Deanne Van Natta