

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

ILLINOIS TOOL WORKS INC.,

Opposer,

v.

GRACO INC.,

Applicant.

Opposition No.: 154,042

Mark: The color blue as applied to airless  
paint sprayers

Serial No.: 75/621,248

Filed: January 13, 1999

Published: March 26, 2002

**BOX TTAB – NO FEE**

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited  
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3513, on the date below:

Date: 1/29/2003 Tammy McCanna

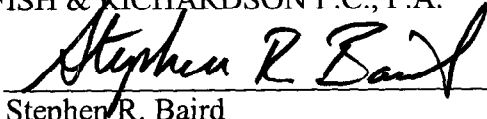
**APPLICANT'S CONSENTED MOTION FOR A  
THIRTY-DAY EXTENSION OF TIME TO FILE AN ANSWER**

Applicant Graco Inc. ("Applicant") hereby moves the Trademark Trial and Appeal Board for a thirty-day extension of time up to and including March 6, 2003 to file its Answer in the above-captioned proceeding. Applicant and Opposer Illinois Tool Works Inc. ("Opposer") are currently engaged in settlement discussions and the parties wish to continue settlement discussions before Applicant files its Answer. Opposer's attorney, Mark Liss, consented to this motion during a telephone conversation with the undersigned on January 28, 2003. This consented motion is made in good faith and not for purpose of delay.

Dated: January 29, 2003

FISH & RICHARDSON P.C., P.A.

By:



Stephen R. Baird

FISH & RICHARDSON P.C., P.A.

3300 Dain Rauscher Plaza

60 South Sixth Street

Minneapolis, MN 55402

Telephone: (612) 335-5070

ATTORNEY FOR GRACO INC.

60124712.doc

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the following document:

Applicant's Consented Motion for A Thirty-Day  
Extension of Time to File An Answer

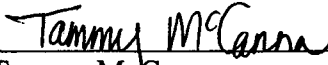
has been served upon the following counsel on the 29th day of January, 2003, directed to  
said counsel at the following address and in the below manner:

Mark J. Liss  
Leydig, Voit & Mayer, Ltd.  
Two Prudential Plaza, Suite 4900  
Chicago, IL 60601-6780  
Telephone: (312) 616-5600

**VIA FIRST CLASS MAIL**

Dated: January 29, 2003

Respectfully submitted,

  
\_\_\_\_\_  
Tammy McCanna  
Fish & Richardson P.C., P.A.  
3300 Dain Rauscher Plaza  
60 South Sixth Street  
Minneapolis, Minnesota 55402

# FISH & RICHARDSON P.C., P.A.



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Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

02-03-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #01

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www.fr.com

January 29, 2003

**BOX TTAB – NO FEE**  
Commissioner for Trademarks  
2900 Crystal Drive  
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Re: Illinois Tool Works Inc. v.  
Graco Inc.  
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Serial No.: 75/621,248  
Our Ref.: 12243-006PP1

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Date: 1/29/2003

Tammy McCanna  
Tammy J. McCanna



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Sir or Madam:

Enclosed for filing in connection with the above-referenced application are:

- 1) Applicant's Consented Motion for a Thirty-Day Extension of Time to File an Answer;
- 2) Certificate of Service; and
- 3) Postcard to acknowledge receipt of these materials

Please date stamp and return the enclosed postcard to acknowledge receipt of these materials. Should any fees be required relating to the enclosed document, the Honorable Commissioner for Trademarks is authorized to deduct said fees from Fish & Richardson Deposit Account No. 06-1050 with reference to 12243-006PP1

Very truly yours,

Stephen R. Baird

SRB/tjm

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TTAB

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*Stephen R. Baird*  
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