

"Express Mail" mailing label number: EL974230235 US

Date of Deposit: March 9, 2004

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Typed or Printed Name of Person Mailing Paper or Fee: LINDA CANCELL

Signature: *Linda Cancell*

TRADEMARK: MONSTERMARK

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Registration Application Serial No. 78/046,283  
Published on the Official Gazette on June 25, 2002

MONSTER CABLE PRODUCTS, INC., and )  
MONSTER CABLE INTERNATIONAL, LTD. )

Opposition No. 91154268

Opposers, )

**STIPULATION TO EXTEND TIME  
TO RESPOND TO APPLICANT'S  
MOTION TO STRIKE**

v. )

eMarkMonitor, Inc. )



Applicant. )

03-09-2004

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

On or about February 26, 2004, the parties stipulated and agreed (see Exhibit A) that Monster Cable Products, Inc., ("Opposer"), shall have a two week extension until March 18, 2004, in which to respond to Applicant's Motion to Strike, filed in this case by eMarkMonitor, Inc., ("Applicant").

Respectfully submitted,

LARIVIERE, GRUBMAN & PAYNE, LLP.

Dated: 3/9/04

By: *Matthew A. Powelson*

Matthew A. Powelson, Esq.  
Counsel for Opposer  
Monster Cable Products, Inc., and  
Monster Cable International, Ltd.

COPY

A

February 26, 2004

VIA FACSIMILE AND U.S. MAIL

David J. Haenel  
eMarkMonitor, Inc.  
12438 West Bridger Street, Ste. 100  
Boise, ID 83713

Re: *Monster Cable v. eMarkMonitor*  
U.S. Opposition No. 91154268

Dear Mr. Haenel:

Thank you for discussing settlement with us earlier this week. We will get back to you regarding your agreement to enter into a no-royalty license as soon as we have consulted with our client.

In the interim, we suggest an extension of two weeks of all existing deadlines regarding briefs on the motions at issue before both parties. Please fax back your agreement to this extension of two weeks of all relevant dates by signing where indicated below and returning this letter to us.

We look forward to receiving your response. Should you have any questions, please don't hesitate to contact me.

Sincerely,

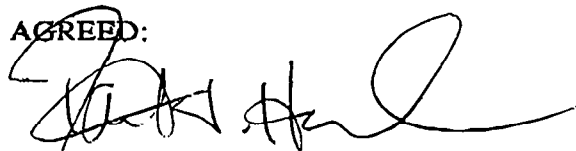
LARIVIERE, GRUBMAN & PAYNE, LLP



Matthew A. Powelson

MAP:aw

AGREED:



David J. Haenel

MONTEREY OFFICE:  
19 UPPER RAGSDALE DRIVE  
SUITE 200  
POST OFFICE BOX 3140  
MONTEREY, CA 93942  
VOICE: 831.649.8800  
FAX: 831.649.8835  
WEB: [www.lgpallaw.com](http://www.lgpallaw.com)

THE LAW FIRM OF



LLP

RONALD E. GRUBMAN, PH.D.  
OF COUNSEL

SEATTLE OFFICE:  
206.332.0743

SAN JOSE OFFICE:  
408.294.0660

# MarkMonitor

The Leader In Internet Brand Protection

12438 West Bridger Street  
Boise, ID 83713  
1-800-337-7520  
www.markmonitor.com

## FAX COVER SHEET

Date: 2-26-04  
Total Pages (including cover): 2  
Re: MonsterMark Opposition

To: Matthew A. Powelson  
Company: LaRiviere, Grubman & Payne LLP

From: David Haenel, Esq.  
Email: david.haenel@markmonitor.com  
Telephone: 208-389-5740  
Fax: 208-389-5797

Telephone: 831-649-8800  
Fax: 831-649-8835

See attached countersigned letter.

March 9, 2004

Karyn Ryan, Esq.  
The United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Re: Monster Cable Products v. eMarkMonitor, Inc.  
Mark: Monstermark  
Serial No.: 78/046,283  
Opposition No.: 91154268



03-09-2004

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

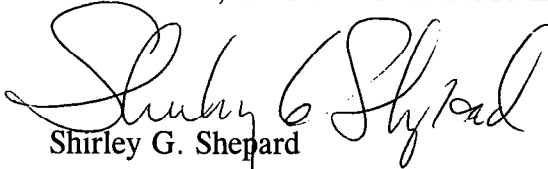
Dear Ms. Ryan:

I left several voice mails beginning February 29, 2004, again on March 2, 2004, and on March 4, 2004, regarding a Stipulation for Extension and asking for a call back from the Paralegal Specialist, Ms. Rochelle Ricks, who seems to be assigned to this matter. And having not receive a call back, I decided to leave a message just today March 9, 2004 on your voice mail regarding same.

In the meantime, we hereby submit for filing the enclosed Stipulation to Extend Time to Respond to Applicant's Motion to Strike.

Very truly yours,

LARIVIERE, GRUBMAN & PAYNE, LLP

  
Shirley G. Shepard  
Litigation Paralegal

*tlab*  
MONTEREY OFFICE:

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RONALD E. GRUBMAN, PH.D.  
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Typed or Printed Name of Person Mailing Paper or Fee: Linda Cantrell  
Signature: *Linda Cantrell*

TRADEMARK: MONSTERMARK

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

SERIAL NO: 78/046,283  
MARK: MONSTERMARK  
CLASS: 16 & 42  
APPLICANT: EMARKMONITOR INC.  
FILED: FEBRUARY 02, 2001  
PUBLISHED: JUNE 25, 2002

  
03-09-2004  
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

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COMMISSIONER FOR TRADEMARKS  
2900 Crystal Drive  
Arlington, VA 22202-3514

TRANSMITTAL LETTER

Dear Madam:

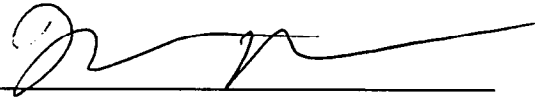
In connection with the above-referenced trademark application, transmitted herewith are the following:

1. Stipulation to Extend Time to Respond to Applicant's Motion to Strike (3 pages);

2. Post card in acknowledgment of all transmitted materials.

Please date-stamp the enclosed post card and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,



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Matthew A. Powelson  
Attorney for Opposer  
Monster Cable Products, Inc., and  
Monster Cable International, Ltd.

MAP/sgs  
Date: March 9, 2004  
LARIVIERE, GRUBMAN & PAYNE, LLP  
Post Office Box 3140  
Monterey, CA 93942  
(831) 649-8800