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

ARC FINANCIAL GROUP LTD.

Opposer,

v.

ARCLIGHT CAPITAL HOLDINGS, LLC

Applicant.

76380380

Opposition No: 91155177

04-12-2004

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64

STIPULATED REQUEST FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS

It is hereby requested that discovery and testimony periods in this matter be extended for sixty (60) days as follows:

Discovery Period to Close	June 9, 2004
Testimony Period for Party in Position of Plaintiff to Close (opening thirty days prior thereto)	September 6, 2004
Testimony Period for Party in Position of Defendant to Close (opening thirty days prior thereto)	November 6, 2004
Rebuttal testimony period to close (opening fifteen days prior thereto)	December 21, 2004

This request is filed by mutual agreement of the parties. Michael Bevilacqua, counsel for the Opposer, and Peter Brody, counsel for Applicant, agreed to this request in a telephone conversation during the week of March 29, 2004. This extension is being sought for the purpose of allowing the parties to continue discovery.

Respectfully submitted,

Sarah L. B

Michael J. Bevilacqua
Sarah L. Byrne
Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
Tel. 617-526-6000

Date: April 9, 2004

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on April 9, 2004.

Sarah L. B

Sarah L. Byrne

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing STIPULATED REQUEST FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS was served this 9th day of April, 2004, upon:

Peter M. Brody, Esq.
ROPES & GRAY
One Metro Center
700 12th Street, N.W., Suite 900
Washington, D.C. 20005-3948

by first-class mail, postage prepaid.

Sarah L. B

Sarah L. Byrne

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04-12-2004
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NOTICE OF DEPOSITION PURSUANT TO RULE 30(B)(6)

TO: Applicant Arclight Capital Holdings, LLC, by and through its counsel of record, Peter M. Brody, Ropes & Gray LLP, One Metro Center, 700 12th Street, N.W., Suite 900, Washington, D.C. 20005-3948.

PLEASE TAKE NOTICE THAT, pursuant to 37 C.F.R. 2.120 and Rule 30(b)(6) of the Federal Rules of Civil Procedure 30(b)(6), Opposer Arc Financial Group, Ltd., will take the deposition upon oral examination of Arclight Capital Holdings, LLC, through one or more of its officers, directors, or managing agents, or other persons who consent to testify on its behalf, as to the following matters known or reasonably available to Arclight Capital Holdings, LLC: all matters listed on attached Exhibit A.

Opposer hereby incorporates by reference the definitions of capitalized terms set forth in Opposer's First Set of Interrogatories to Applicant.

The deposition will take place on May 6, 2004 at 10:00 a.m. at the offices of Hale and Dorr LLP, The Willard Office Building, 1455 Pennsylvania Avenue, N.W., Washington, DC 2004-1008, before a notary public or other person authorized by law to administer oaths. The examination will continue from day to day until completed.

You are invited to attend and cross-examine.

ARC FINANCIAL GROUP LTD.
By its attorneys,

Sarah L. Byrne

Michael J. Bevilacqua
Sarah L. Byrne
Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

April 9, 2004

Exhibit A

1. The date on which you first sold or offered any products and/or services under Applicant's Mark in the United States.

2. The circumstances under which you first learned of Opposer's use of Opposer's Mark.

3. The nature of each and every product and/or service ever sold or offered by you, or intended to be sold or offered by you, under Applicant's Mark, and whether each such product and/or service is currently being sold or offered.

4. For each financial product or service ever sold or offered by you, or intended to be sold or offered by you, under Applicant's Mark:

(a) the amount of money invested in the relevant fund by customers;

(b) the average amount of any loads and/or sales charges incurred by wholesale and/or retail customers;

(c) the average fee paid by a customer;

(d) the jurisdiction in which the relevant fund is organized;

(e) whether the offering of shares in the relevant fund was registered under the Securities Act of 1933, as amended, 15 U.S.C. § 77(a) *et seq.,* and if not, the provision of said Act under which the offering of shares was exempt from registration;

(f) whether the investment advisor providing advisory services to the relevant fund is registered under the Investment Adviser Act, as amended, 15 U.S.C. § 80(b), and if not, the provision of said Act under which the advisor is exempt from registration;

(g) the name, principal place of business, and nature of business of each business entity in which an equity or any other interest has been acquired by the relevant fund;

(h) the largest investment, measured in U.S. dollars, made by the relevant fund;

(i) the name and address of each investor in the relevant fund who has invested at least $10,000 in the fund; and

(j) the total amount, measured in U.S. dollars, committed by investors to the fund as of the date of its final closing.

6. The channels of distribution which you use or intend to use for the products or services ever sold or offered by you, or intended to be sold or offered by you, under Applicant's Mark, including independent financial consultants, independent professional financial representatives, and institutions, through which you sell or intend to sell such products or services.

7. The classes or types of customers to whom you sell or intend to sell each of the products or services specified in paragraph 4 above, including the conditions under which such customer typically uses or is likely to use said products or services.

8. Any instance in which you believe that any person has been confused, mistaken or deceived as to the identity of the parties herein or their respective products or services.

9. Your advertising, promotion and marketing of goods and services under Applicant's Mark.

10. The approximate annual dollar volume of advertising spent, and/or expected to be spent, for Applicant for products and/or services under Applicant's Mark in the United States.

11. The persons in your organization having primary knowledge of the actual and prospective purchasers of your products on which the Applicant's Mark is affixed or will be affixed, and/or services with which the Applicant's Mark is or will be associated.

12. The nature of all other marks considered by you during the conception, selection and adoption of Applicant's Mark, stating for each mark considered why it was or was not adopted by Applicant.

13. Any search or other investigation conducted by or for you relating to the use, intended use or registration of Applicant's Mark.

14. Any past or present licenses of Applicant's Mark, whether express, implied, written, oral or otherwise.

15. Your gross annual revenues from management fees or other investment advisory fees.

16. The process by which you select investments for funds managed by you.

17. The criteria used by you in determining the nature and size of investments made by funds managed by you.

18. Your annual gross revenues from fees, commissions, or other service charges from the sale of all investment management services.

19. Any restriction (legal, contractual, or otherwise) on your right or ability to invest assets under your management within the United States.

20. Any meetings of investors in the funds managed by you.

21. Any private placement memorandum or other offering materials in connection with the offering of any fund.

22. Any agent, consultant, finder, other independent representative engaged by you in connection with the sale or offering for sale of any service and the scope of such engagement.

23. The percentage of committed capital under your management that is committed by individual investors (as opposed to institutional investors).

24. The types of institutional investors (e.g., endowments, pension plans, banks, insurance companies) in your funds and the percentage of capital committed by each such type of institutional investor.

25. The development and maintenance of your relationships with your investors and portfolio companies (i.e., business entities in which any of your funds have acquired equity or other interests) and the importance of those relationships to your raising of funds and your investments in portfolio companies.

26. The process and criteria by which you are selected as an investment adviser by investors.

27. Your policies, procedures, and processes with respect to the filing, retention, and destruction of records.

28. The location(s) of records responsive to Opposer's First Request for Production of Documents to Applicant and the steps taken to locate such records.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Deposition Pursuant to Rule 30(B)(6) was served by first class mail, postage pre-paid, this 9th day of April, 2004, upon:

Peter M. Brody
Ropes & Gray
One Metro Center
700 12th Street, N.W., Suite 900
Washington, DC 20005-3948

Sarah L. B
Sarah L. Byrne