

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

IN THE MATTER OF TRADEMARK APPLICATION:

Mark: **COLISEUM SPORTS BAR** and Design

Serial No.: 76-210,716

Filed: February 15, 2001

Published: June 11, 2002



06-09-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #74

-----X  
CAESARS WORLD, INC.

Opposer,

Opposition No.: 91,155,384

v.

COLISEUM, LLC

Applicant.  
-----X

**STIPULATED MOTION UNDER 37 C.F.R. § 2.127 TO EXTEND TIME  
FOR ANSWER, DISCOVERY AND TESTIMONY**

Applicant, Coliseum, LLC, a Maryland corporation, located at 599 Cranbrook Road, Cockeysville, Maryland 21030, by and through its attorneys, hereby moves this Honorable Board to extend the period of time to file an Answer to the Notice of Opposition and for the close of all testimony periods for thirty (30) days in the above-captioned proceeding as follows:

Discovery period to open:	June 24 2003
Answer due by defendant:	July 14, 2003
Discovery period to close:	December 21, 2003
30-day testimony period for party in position of plaintiff to close:	March 20, 2004

30-day testimony period for party in  
position of defendant to close:

May 19, 2004

15-day rebuttal testimony period  
for plaintiff to close:

July 3, 2004

This motion is made in good faith and without any intent to cause delay or  
prejudice. Petitioner has revoked and replaced its power of attorney under 37 C.F.R. §2.19, and  
its new counsel requires time to prepare an answer. Opposer has consented to this additional  
time. Applicant therefore requests that the Honorable Board reset the discovery and trial  
deadlines for good cause shown herein.

Respectfully submitted,

Dated: June 6, 2003

  
Ned T. Himmelrich

GORDON, FEINBLATT, ROTHMAN,  
HOFFBERGER & HOLLANDER, LLC  
233 East Redwood Street  
Baltimore, Maryland 21202  
Telephone: (410) 576-4171

Attorneys for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Opposition No.: 91,155,384

**STIPULATED MOTION UNDER 37 C.F.R. § 2.127 TO EXTEND TIME  
FOR ANSWER, DISCOVERY AND TESTIMONY**

I hereby certify that the above-identified correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. §1.10 on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

Dated: June 6, 2003

  
Ned T. Himmelrich

Express Mail No.: EV 044837092 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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CAESARS WORLD, INC.

Opposer,

Opposition No.: 91,155,384

v.

COLISEUM, LLC

Applicant.  
-----X

CERTIFICATE OF SERVICE

I hereby certify that the STIPULATED MOTION UNDER 37 C.F.R. § 2.127 TO  
EXTEND TIME FOR ANSWER, DISCOVERY AND TESTIMONY has been sent via first-  
class mail, postage prepaid, to Stephen W. Feingold, Esquire, Pitney, Hardin, Kipp & Szuch,  
LLP, 685 Third Avenue, New York, New York 10017, on the date indicated below.

June 6, 2003

  
\_\_\_\_\_  
Ned T. Himmelrich

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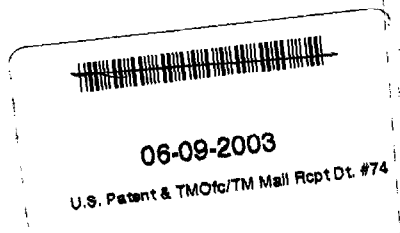
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June 6, 2003

**VIA EXPRESS MAIL #EV044837092US**



Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Re: Caesars World, Inc. v. Coliseum, LLC  
Opposition No. 91155384

To the Assistant Commissioner:

With this letter, I am enclosing for filing the original and two copies of a Stipulated Motion Under 37 C.F.R. § 2.127 to Extend Time for Answer, Discovery and Testimony.

Please date stamp the attached copy of this letter and return it to the undersigned in the enclosed self-addressed stamped envelope to indicate receipt of this Motion.

Please contact Ned Himmelrich at (410) 576-4171 if you have any questions.

Sincerely,

Patricia L. Adams  
Legal Assistant

cc: Alan J. Gebhart  
A. David Borinsky, Esquire  
Ned T. Himmelrich, Esquire

TRACED BY TRIAL AND  
JUN 19 AM 9:31

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

----- X  
AMERICAN HOME PRODUCTS  
CORPORATION,

Opposer,

Opposition No. 124,967

v.

DAVID M. GRAHAM,

Applicant.



06-13-2003

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

----- X  
**NOTICE OF APPEARANCE**

Please note the appearance of Marie V. Driscoll and John/P. Margiotta, who are admitted to practice in the State of New York as attorneys for the opposer in this proceeding. All communications should be made to Ms. Driscoll at Fross Zelnick Lehrman & Zissu, 866 United Nations Plaza, New York, NY 10017.

Dated: New York, New York  
June 11, 2003

Respectfully submitted,

FROSS ZELNICK LEHRMAN  
& ZISSU, P.C.

Certificate of Mailing Under 37 CFR 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 22202-3513 on:

June 11, 2003  
(Date of Deposit)

Marie V. Driscoll  
(Name of person signing Certificate)

*Marie V. Driscoll*  
(Signature)

June 11, 2003  
(Date of Signature)

By:

*Marie V. Driscoll*  
Marie V. Driscoll  
John P. Margiotta  
Attorneys for Opposer  
866 United Nations Plaza  
New York, New York 10017  
(212) 813-5900

**CERTIFICATE OF MAILING**

A copy of the foregoing Notice of Appearance was mailed by first class mail postpaid this 11<sup>th</sup> day of June, 2003, on Opposer's current attorney, Egon Berg, Esq., Wyeth, Trademark Law Department, Five Giralda Farms, Madison, NJ 07940, and on Applicant David M. Graham, Advalife International Inc., 512 East Kings Highway, Shreveport, LA 71105.

*Marie V. Driscoll*

Marie V. Driscoll

T TAB

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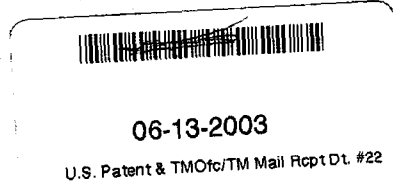
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 DAVID A. DONAHUE

June 11, 2003

**VIA FIRST CLASS MAIL**



Commissioner of Patents and Trademarks  
 2900 Crystal Drive  
 Arlington, Virginia 22202-3514

Attn: BOX TTAB NO FEE

Re: **American Home Products Corporation  
 v. David M. Graham  
 Opposition No. 124,967**

Gentlemen:

Enclosed are an original and two copies of a Notice of Appearance for the above-identified opposition. Please acknowledge receipt on the enclosed postcard.

Sincerely,

*Marie Driscoll*

Marie V. Driscoll

MVD/tr  
 Enclosures

03 JUN 19 AM 9:31  
 TRADEMARK TRIAL AND  
 APPEAL BOARD