




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

STONEWATER SANCTUARY, INC.,)
)
 Opposer,)
)
 v.)
)
 SPA CAPITAL, LLC,)
)
 Applicant.)
_____)

Opposition No. 91/156,384
Mark: STONEWATER
Appln. Serial No. 76/388,579


03-23-2004
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

SUPPLEMENT TO
OPPOSER'S MOTION TO COMPEL DISCOVERY
AND TO EXTEND OPPOSER'S DISCOVERY PERIOD ONLY

Pursuant to 37 C.F.R. §2.120(e), Stonewater Sanctuary, Inc., ("Opposer"), hereby supplements its Motion to Compel and a Motion to Extend Opposer's Discovery Deadline Only, which was filed on Monday, March 22, 2004.

At the time the Motion was filed, Opposer was not aware that Applicant's counsel had sent an e-mail on Friday afternoon, March 19, 2004, agreeing to the prior requested three-month

extension of all dates. A copy of the e-mail is attached to this Supplement as Exhibit 1. Accordingly, it is requested that the discovery extension granted by the Board be granted to both parties.

Respectfully submitted,

STONEWATER SANCTUARY, INC.

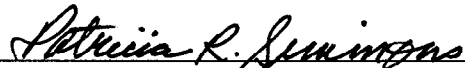
By: Roberta S. Bren
Roberta S. Bren
Kyoko Imai
Oblon, Spivak, McClelland,
Maier & Neustadt, P.C.
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Alexandria, Virginia 22314
(703) 413-3000
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Date: March 23, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **SUPPLEMENT TO OPPOSER'S MOTION TO COMPEL DISCOVERY AND TO EXTEND OPPOSER'S DISCOVERY PERIOD ONLY** was served on counsel for Applicant, this 23rd day of March, 2004, by sending same, via first class mail, postage prepaid to:

Jeffrey L. Snow, Esq.
Mark D. Lorusso, Esq.
Robert P. Smith, Esq.
Kirkpatrick & Lockhart LLP
75 State Street
Boston, MA 02109-1808



Patricia R. Simmons

EXHIBIT 1

From: "Smith, Robert" <rsmith@kl.com>
To: "Robin Bren (E-mail)" <rbren@oblon.com>
Date: Fri, Mar 19, 2004 2:45 PM
Subject: (Archive Copy) Opposition No. 91/156,384 -- extension of time

Dear Robin,

This is in response to the voice mail you left for me earlier today. Spa Capital agrees to extend the discovery and trial dates for the above-referenced proceeding for three-months, as you proposed.

Rob Smith
Kirkpatrick & Lockhart LLP
75 State Street
Boston, Massachusetts 02109
phone: 617.951.9146
fax: 617.261.3175

<<Robert P. Smith.vcf>>
file: S0023/2000

CC: "Snow, Jeffrey L." <jsnow@kl.com>

Bren

RECEIVED

MAR 22 2004

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

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