

TTAB

Ref. No. 21307-33


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

In re Application Serial No. 76/288,971
Filed: July 23, 2001
For Mark: BABY BOMBERS
Published in the Official Gazette: February 11, 2003

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NEW YORK YANKEES :
PARTNERSHIP and STATEN ISLAND :
MINOR LEAGUE HOLDINGS, L.L.C., :
:
Opposers, :
:
v. :
:
LEON P. HART, :
:
Applicant. :
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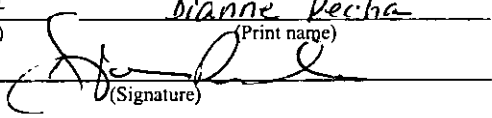
Opposition No. 91156780

Commissioner for Trademarks
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3514


08-25-2004
U.S. Patent & TMO/TTM Mail Rpt Dt. #22

MOTION ON CONSENT TO EXTEND REBUTTAL TESTIMONY PERIOD

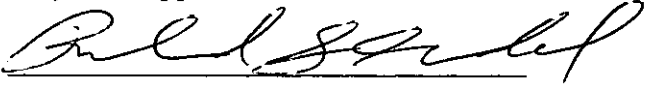
Pursuant to Rule 2.121(a)(1) of the Trademark Rules of Practice of the Patent and Trademark Office, Opposers New York Yankees Partnership and Staten Island Minor League Holdings, L.L.C. hereby move, with the consent of Applicant's counsel, for an extension of the rebuttal testimony period up to and including September 15, 2004. Applicant's counsel, Seth Natter, consented to this extension in an August 23, 2004 telephone conversation with

"Express Mail" Mailing Label Number 421635773
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on
8-25-04 Dianne Recha
(Date of Deposit) (Print name)

(Signature)

Opposers' counsel, Richard S. Mandel. The extension is necessary because Opposers' potential rebuttal witness is unavailable during the scheduled rebuttal period because of previously arranged vacation plans.

Dated: New York, New York
August 25, 2004

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposers

By: 
Richard S. Mandel

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Motion on Consent to Extend Rebuttal Testimony Period to be served on August 25, 2004 upon Applicant by first class mail, postage prepaid to Applicant's counsel of record at the following address:

Seth Natter, Esq.
Natter & Natter
25 West 43rd Street
New York, New York 10036

A handwritten signature in cursive script, appearing to read "Richard S. Mandel", written over a horizontal line.

Richard S. Mandel