

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

THE SHERWIN WILLIAMS COMPANY)	
)	
Opposer,)	
)	
v.)	Opposition No. 91157759
)	
ROBERT D. NEWMAN and)	
SPECIALTY PRODUCTS OF MISSOURI, INC.)	
)	
Applicant.)	

**SECOND MOTION ON CONSENT
FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS**

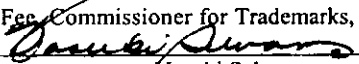
COMES NOW the Applicant, Robert D. Newman and Specialty Products of Missouri, Inc., through the law firm of Hovey Williams LLP, and, with Opposer’s consent, hereby respectfully requests that all parties be granted an additional ninety-day extension of the discovery and testimony periods.

With the requested ninety day extension of time for discovery and testimony periods, the dates would be reset as follows:

- | | |
|--|-------------------|
| Discovery period to close | August 30, 2004 |
| Testimony period for party in position of plaintiff to close:
(Opening thirty days prior thereto) | November 28, 2004 |
| Testimony period for party in position of defendant to close
(Opening thirty days prior thereto) | January 27, 2005 |
| Rebuttal testimony period to close
(Opening fifteen days prior thereto) | March 13, 2005 |

CERTIFICATE OF MAILING

I hereby certify that the foregoing Answer to Notice of Opposition regarding U.S. Serial No. 76/374,089 is being deposited with the United States Postal Service via First Class Mail with sufficient postage on the date indicated above and is addressed to: BOX TTAB No Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on this 7th day of May, 2004.


Nasuki Selvan

Opposition No. 91157759
Serial No. 76/374,089

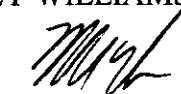
An initial extension of sixty days was granted by the Board on March 16, 2004. This further extension is requested not for the purposes of delay, but to enable the parties to continue to pursue settlement negotiations in this matter and complete discovery if settlement cannot be reached.

Consent to this requested extension of the testimony periods was obtained from counsel for Opposers during a telephone conversation on May 6, 2004.

Accordingly, it is requested that the discovery and testimony dates be reset as indicated above. This request is filed in triplicate.

Respectfully submitted,
HOVEY WILLIAMS LLP

By



Michael Elbein
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2405 Grand, Suite 400
Kansas City, MO 64108
816/474-9050
816/474-9057 Fax

Attorneys for Applicant

Opposition No. 91157759
Serial No. 76/374,089

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon attorneys for Opposer this 7th day of May, 2004, by forwarding a copy, first class mail, postage prepaid, addressed as follows:

Robert E. McDonald, Esq.
The Sherwin-Williams Company
101 Prospect Avenue NW
1100 Midland Bldg. - Legal Dept.
Cleveland, OH 44115-1075

ATTORNEYS FOR OPPOSER



CERTIFICATE OF MAILING

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Vasuki Selvan

TTAB

LAW OFFICES

Hovey Williams LLP

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(ADMITTED IN OKLAHOMA ONLY)

May 7, 2004

05-10-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #66



VIA FIRST CLASS MAIL

Box TTAB - NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

**Re: The Sherwin Williams Company v. Great Plains Mfg. Inc.
Opposition No. 91157759 re TWIST-LOK - 76374089**

Dear Sir or Madam:

Enclosed please find the materials necessary for transmittal of SECOND MOTION UPON CONSENT FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS regarding the above-referenced opposition.

1. Original and two copies of SECOND MOTION UPON CONSENT FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS regarding the above-referenced opposition proceeding; and
2. A self-addressed stamped postal acknowledgment card.

Please do not hesitate to contact the undersigned at (816) 474-9051, Extension 386, if you have any questions.

Kind Regards,

Vasuki Selvan
Vasuki Selvan
Trademark Specialist

Enclosures

ll.