

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

IN THE MATTER OF APPLICATION SERIAL NO. 76/523,318
PUBLISHED IN THE OFFICIAL GAZETTE ON FEBRUARY 24, 2004

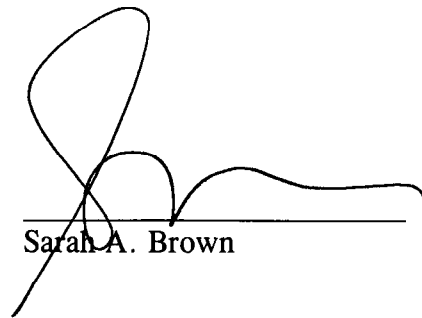
PACIFIC SUNWEAR OF CALIFORNIA, INC.,)	OPPOSITION NO. 91159978
)	
OPPOSER,)	
vs.)	DECLARATION OF SARAH A. BROWN
)	IN SUPPORT OF APPLICANT'S REPLY
PEPPERDINE UNIVERSITY,)	TO OPPOSER'S BRIEF IN OPPOSITION
)	TO APPLICANT'S MOTION FOR
APPLICANT.)	SUMMARY JUDGMENT
)	
)	
)	

1. I am an attorney admitted to practice in the State of California and before the United States Patent and Trademark Office. I am an associate in the law firm of Cislo & Thomas LLP representing Applicant, Pepperdine University in the instant Opposition. I make this Declaration of my own personal knowledge, or on information and belief where so stated. If called as a witness, I could and would testify competently to the truth of the matters asserted herein.
2. I did not, nor did any of the attorneys at my firm, instruct Follett Higher Education Group, Inc. ("Follett") not to appear for the subpoenaed deposition referred to in Opposer's opposition to Applicant's motion for summary judgment and as attached to Opposer's Exhibit E (to the Declaration of Maha Sarah)(hereinafter the "Subpoena"). Upon information and belief, Follett timely exercised its right to file a motion to quash the Subpoena.

3. To date, Applicant has not been served with notice that Opposer, Pacific Sunwear of California, Inc., has filed a motion to compel with the United States District Court for the Northern District of Illinois.

I declare under penalty of perjury that the foregoing statements made of my own knowledge are true and correct and that all statements made on information and belief are believed to be true and correct.

Date: December 22, 2004



Sarah A. Brown

Z:\TMDocs\04-13534\DECLARATION OF SARAH BROWN IN SUPPORT OF REPLY TO BRIEF IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT.DOC

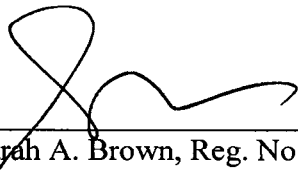
CERTIFICATE OF SERVICE

I hereby certify that one (1) copy of this document is being deposited with the United States Postal Service as First Class Mail, postage affixed, in an envelope addressed to:

Maha Sarah
Murphey & Murphey, A.P.C.
Pacific Center One, Suite 260
701 Palomer Airport Road
Carlsbad, CA 92009-1027

Dated: December 22

By:



Sarah A. Brown, Reg. No. 47,455

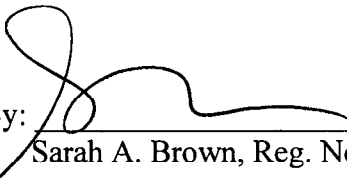
CERTIFICATE OF MAILING

I hereby certify that the original of this document is being deposited with the United States Postal Service as first class mail, postage affixed, on the date set forth below in an envelope addressed to:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
ATTN: TTAB

Dated: December 22

By:



Sarah A. Brown, Reg. No. 47,455

CISLO & THOMAS LLP
233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401-1211
Tel: (310) 451-0647
Fax: (310) 394-4477
www.cislo.com