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

Proceeding	91160111
Party	Plaintiff RED BULL GMBH ,
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Submission	Opposition/Response to Motion
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Date	12/23/2004
Attachments	RedCarabao.Oppo91-160111_ObjsApplicantsMtnExtendTimeRespondDiscovery.pdf (2 pages)

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I certify that this document is being electronically filed via ESTTA on December 23, 2004

/Martin R Greenstein/
Martin R. Greenstein

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

RED BULL GMBH

Opposer,

v.

CARABAO TAWANDANG CO., LTD.

Applicant.

Opposition No. 91-160,111

Trademark:

RED CARABAO & Bull Design

Appln No.: **78/202,588**

**OPPOSER'S OBJECTIONS TO APPLICANT'S MOTION TO EXTEND
TIME TO RESPOND TO DISCOVERY - AS TO OBJECTIONS ONLY**

Opposer objects to Applicants' Motion to Extend Time to Respond to Discovery (i.e., to respond to Opposer's Requests for Production of Documents and Things, and Requests for Admission), mailed December 6, 2004, but only as to objections Applicant could have otherwise raised. Opposer is quite aware - as Applicant certainly is also - that the mere filing of this motion effectively ensures the requested extension since there is virtually no chance of a ruling before the January 5, 2005 extension date. For that reason, Opposer is not objecting to the additional time to provide substantive discovery responses. However, for the reasons set forth, Opposer believes - and urges the Board - to deny Applicant any right to raise objections to the discovery at this late date.

Nowhere in its papers does Applicant suggest that any of the discovery served is objectionable, and Applicant's only basis for the requested extension is the difficulty of communicating, through Thai counsel, with Applicant in Thailand. It is unlikely that Thai counsel would provide any meaningful input into possible objections, and even more unlikely

that the Thai Applicant would do so. Applicant's U.S. attorneys could certainly have raised any bona fide objections they thought appropriate by the December 6, 2004, but chose not to do so - the most reasonable inference being that they saw no bona fide objections.

For that reason, while Opposer is not objecting to the additional requested time to provide substantive responses to January 5, 2005 (but no longer), Opposer does object to any late-filed objections after the original December 6, 2004 due date. Opposer thus urges the Board to rule that any extension or enlargement of time be solely with respect to answering the requests to admit and producing the requested documents and things, with a recognition and ruling that the time to object has already passed, without any objections having been raised.

Dated: December 23, 2004

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing OPPOSER'S OBJECTIONS TO APPLICANT'S MOTION TO EXTEND TIME TO RESPOND TO DISCOVERY - AS TO OBJECTIONS ONLY is being served by first class mail postage prepaid on this 23rd day of December, 2004, on Applicant's attorneys:

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