

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

Cooper Industries, Inc.)	Opposition No. 91160492
)	
Opposer,)	Application No. 76/462,062
)	
v.)	Mark: HOLO
)	
Acuity Brands, Inc.)	
)	Docket No.: 560301.3070
Applicant.)	
)	

**MOTION FOR EXTENSION OF TIME
OF THE DISCOVERY PERIODS WITH CONSENT**

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

Sir:

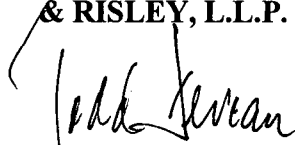
The parties hereby request that the discovery periods provided in the TTAB Notice mailed May 12, 2004, be extended two weeks, until December 12, 2004 and that all other deadlines set in the Notice mailed May 12, 2004 be likewise extended two weeks. The parties are engaged in continued discussions to settle this opposition. The parties request the extension of the discovery and testimony periods to allow them time to conclude their discussions. The extension of the discovery periods was discussed with counsel for Applicant, Acuity Brands, Inc., namely Christopher J. Kellner, during which Applicant's counsel consented and stipulated to this request.

In view of the foregoing, the parties respectfully request approval by the Board of the testimony periods of the above proceedings.

This 22nd day of November 2004.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

A handwritten signature in black ink, appearing to read "Todd Deveau". The signature is written in a cursive style with a large, sweeping initial "T".

Todd Deveau
Attorneys for Opposer

100 Galleria Parkway
Suite 1750
Atlanta, Georgia 30339-5948
770-933-9500

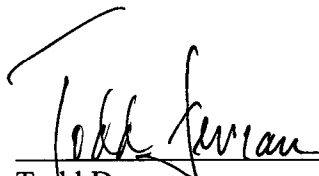
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail under 37 C.F.R. §1.8 on the date indicated below addressed to: Commissioner for Trademarks, Box TTAB, No Fee, P.O. Box 1451, Arlington, VA 22313-1451 with a copy addressed to Christopher J. Kellner, Kilpatrick Stockton LLP, 1100 Peachtree St., Suite 2800, Atlanta, GA 30309-4530.

This 22nd day of November, 2004



Todd Deveau

TTAB

TKHR

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

ATTORNEYS AT LAW

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November 22, 2004

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

Re: Cooper Industries, Inc. v. Acuity Brands, Inc.
Trademark Opposition No. 91160492
Our File No.: 560301-3070; 2004-67

Dear Sir:

Please find enclosed a *Motion For Extension of Time of the Discovery Periods With Consent*, along with a self-addressed postcard for acknowledging receipt of the Motion. Please be so kind as to acknowledge receipt by returning the postcard appropriately marked.

I hereby certify that this Motion is being deposited with the United States Postal Service as First Class Mail, on the date of this letter, and is addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, Attn: Trademark Trial and Appeal Board.

Sincerely,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY LLP**


Todd Deveau

TD/ld
Enclosure



11-24-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #77

INTERNATIONAL PATENT, TRADEMARK AND COPYRIGHT LAW AND RELATED LITIGATION

Atlanta, Georgia

Huntsville, Alabama