

ESTTA Tracking number: **ESTTA12053**

Filing date: **07/21/2004**

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

<b>Proceeding</b>	91160497
<b>Party</b>	Defendant Suarez Corporation Industries Suarez Corporation Industries 7800 Whipple Avenue N.W. North Canton, OH 44720
<b>Correspondence Address</b>	John P. Murtaugh Pearne & Gordon LLP 1801 East 9th Street Suite 1200 Cleveland, OH 44114-3108
<b>Submission</b>	Motion to Extend
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<b>Date</b>	07/21/2004
<b>Attachments</b>	SUA-35433-MOTION TO EXTEND-02-PAGE 1-JPM.tif ( 1 page ) SUA-35433-MOTION TO EXTEND-02-PAGE 2-JPM.tif ( 1 page )

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

In the Matter of Application No. 78/224,251  
Date of Publication: October 28, 2003  
Mark: SPEED SLIM  
International Class 005

Speedel Holding AG	)	
	)	
Opposer,	)	
	)	
vs.	)	Opposition No. 91160497
	)	
Suarez Corporation	)	
Industries	)	
	)	
Applicant	)	
	)	

MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Sir:

The above-referenced trademark Application No. 78/224,251 for the mark SPEED SLIM was published for opposition on October 28, 2003. Speedel Holding AG filed an opposition on or about April 26, 2004. The Notice of Opposition was mailed to Applicant Suarez Corporation Industries on May 13, 2004 and Applicant's Answer was due on June 22,

I hereby certify that this correspondence is being filed electronically with the United States Trademark Office, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on the date indicated below.

John P. Murtaugh

\_\_\_\_\_  
Name of Attorney for Applicant(s)

7-21-04  
Date

*John P. Murtaugh*  
Signature of Attorney

2004. On June 18, 2004, applicant filed a motion for extension of time to extend the Answer date to July 22, 2004, which motion was consented to by Opposer's counsel. The Notice of Opposition raises a number of questions and issues, both legally and factually. In addition, Applicant's counsel and Opposer's counsel have been communicating and exploring the possibility of settling this Opposition. Additional time is needed so that the parties can continue to try to settle this case, and, if necessary, so that Applicant can file an Answer. Accordingly, Applicant hereby requests that the time to file an Answer to the Opposition be extended for sixty (60) days, up to and including September 20, 2004. This request is made in good faith, and not for the purpose of delay. Opposer's counsel has consented to this sixty (60) day extension of time.

Respectfully submitted,

SUAREZ CORPORATION INDUSTRIES

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Date: 7-21-04

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Extension of Time to File Answer was served on Opposer's Attorney, Daniel H. Solomon, Kenyon & Kenyon, One Broadway, New York, New York 10004, via first class mail, postage prepaid, this 21<sup>st</sup> day of July, 2004.

By John P. Murtaugh  
John P. Murtaugh