

Darrow Boggiano
618 - Seven And A Half Street, S.W.
Charlottesville, VA 22901
434.295.3327
434.971.7434

TTAB

IN THE TRADEMARK TRIAL AND APPEALS BOARD

Darrow H Boggiano
CitySites

v.

The House On F Street, LLC.

Warren A. Sklar
RENNER, OTTO, BOISSELLE & SKLAR

Re: Opposition No 91161804
Serial No. 78284694

Withdrawal of Opposition Without
Prejudice
And
Request for 30-day Extension

(Both Filed Electronically)

Plaintiff appearing in pro se before this Honorable Court, herein reiterates previous electronic requests for withdrawal of the incomplete Opposition filed on 8/20/04 without prejudice and has requested a 30 day extension of time to Oppose. No answer has been filed by Defendants in this matter, as it was only electronically filed yesterday (8/20/04). Plaintiff inserts the email sent to the Trial and Appeals Board and to the Defendant on this date, 8/21/04:

Date: Sat, 21 Aug 2004 15:29:39 -0400
From: Darrow Boggiano
Subject: Re: Notice of Opposition
To: ESTTA <ESTTA@USPTO.GOV>
Cc: Mailroom@RennerOtto.com

I would like to withdraw this opposition without prejudice,



08-26-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #22

because I have requested 30 days extension to oppose. This withdrawal is being sent via overnight mail to the Trademark and Appeals Board and to the Defendant, on 8/21/04, prior to answer filed by defendants in accordance with 37 C.F.R. PART 1—RULES OF PRACTICE


Oppositions

§2.106 (c) as stated below:

(c) The opposition may be withdrawn without prejudice before the answer is filed. After the answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of the applicant or the applicant's attorney or other authorized representative.

[30 FR 13193, Oct. 16, 1965, as amended at 46 FR 6940, Jan. 22, 1981; 48 FR 23136, May 23, 1983; 54 FR 34987, Aug. 22, 1989]

Respectfully Submitted


Darrow Boggiano
Plaintiff In Pro Se



United States Patent and Trademark Office

Home Site Index Search Guides Contacts eBusiness eBiz alerts News Help



Electronic System for Trademark Trials and Appeals

Receipt

Your submission has been received by the USPTO.
 The content of your submission is listed below.
 You may print a copy of this receipt for your records.

ESTTA Tracking number: **ESTTA13742**
 Filing date: **08/20/2004**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Darrow H Boggiano		
Entity	Individual	Citizenship	UNITED STATES
Address	618 - Seven And A Half Street, S.W. Charlottesville, VA 22901 UNITED STATES		

Correspondence information	Darrow H Boggiano Owner CitySites 618 - Seven And A Half Street, S.W. Charlottesville, VA 22901 UNITED STATES darrow@citysites.com Phone:434.295.3327 alt 971-7434
-----------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Applicant Information

--	--	--	--

Application No	78284694	Publication date	08/03/2004
Opposition Filing Date	08/20/2004	Opposition Period Ends	09/02/2004
Applicant	The House On F Street, LLC. Suite 800, 1660 West Second Street Cleveland, OH 44113 UNITED STATES		
Goods/Services Affected by Opposition			
Class 016. First Use: 20030731 First Use In Commerce: 20030731 All goods and services in the class are opposed, namely: Maps; books and booklets concerning places of interest that pertain to espionage and spying and locations where an event relating to an espionage or spying activity occurred; printed travel information guides; printed city information guides; published novelty items, namely, greeting cards and postcards			
Attachments	opposition spycitysites.txt (3 pages)		
Signature	/Darrow Boggiano 082004/		
Name	Darrow H Boggiano		
Date	08/20/2004		

[Return to ESTTA home page](#) [Start another ESTTA filing](#)

| [HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)


UNITED STATES PATENT AND TRADEMARK OFFICE
[Home](#)
[Index](#)
[Search](#)
[System Alerts](#)
[eBusiness Center](#)
[News & Notices](#)
[Contact Us](#)
Trademark Electronic Search System(Tess)

TESS was last updated on Fri Aug 20 04:41:48 EDT 2004

[PTO HOME](#)
[TRADEMARK](#)
[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[SHOW ALL](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)
[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)
[Logout](#)

Please logout when you are done to release system resources allocated for you.

[Start](#)

List At:

OR

[Jump](#)

to record:

Record 3 out of 3
[Check Status](#)

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

CitySites

Word Mark
CITYSITES
Goods and Services

IC 035. US 100 101 102. G & S: advertising and promoting the goods and services of others by preparing and placing advertisements on websites accessed through a global computer network. FIRST USE: 19941020. FIRST USE IN COMMERCE: 19941020

IC 042. US 100 101. G & S: computer programming for others and designing sites for others on the global computer network. FIRST USE: 19941020. FIRST USE IN COMMERCE: 19941020

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number

75633710

Filing Date

February 4, 1999

Current Filing Basis

1A

Original Filing Basis

1A

Published for

Opposition September 28, 1999
Registration Number 2346865
Registration Date May 2, 2000
Owner (REGISTRANT) Boggiano, Darrow DBA CitySites INDIVIDUAL UNITED STATES 50 California St. #1500 San Francisco CALIFORNIA 94111
Prior Registrations 2199399
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	Browse Data	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC						

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) |
[CONTACT US](#) | [PRIVACY STATEMENT](#)



UNITED STATES PATENT AND TRADEMARK OFFICE

[Home](#)
[Index](#)
[Search](#)
[System Alerts](#)
[eBusiness Center](#)
[News & Notices](#)
[Contact Us](#)

Trademark Electronic Search System(Tess)

TESS was last updated on Fri Aug 20 04:41:48 EDT 2004

[PTO HOME](#)
[TRADEMARK](#)
[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[Browser DIES](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)
[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 2 out of 3**

[Check Status](#) (TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Word Mark	CITYSITES WEB PRODUCTION COMPANY WWW.CITYSITES.COM
Goods and Services	IC 042. US 100 101. G & S: computer programming for others, and designing sites for others on the global computer network. FIRST USE: 19941020. FIRST USE IN COMMERCE: 19941020
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	060701 260921
Serial Number	75252772
Filing Date	March 6, 1997
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 31, 1998
Registration	2199399

Number**Registration****Date**

October 27, 1998

Owner(REGISTRANT) Boggiano, Darrow INDIVIDUAL UNITED STATES 937
SOUTHAMPTON DRIVE CHARLOTTESVILLE VIRGINIA 22901**Disclaimer**NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WEB
PRODUCTION CO." and "WWW.CITYSITES.COM" APART FROM THE
MARK AS SHOWN**Type of Mark**

SERVICE MARK

Register

PRINCIPAL

Affidavit Text

SECT 15. SECT 8 (6-YR).

Live/Dead**Indicator**

LIVE

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	Browse Docs	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC						

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) |
[CONTACT US](#) | [PRIVACY STATEMENT](#)



[Home](#)
[Index](#)
[Search](#)
[System Alerts](#)
[eBusiness Center](#)
[News & Notices](#)
[Contact Us](#)

Trademark Electronic Search System(Tess)

TESS was last updated on Sat Aug 21 04:45:59 EDT 2004

[TESS Home](#)
[Feedback](#)
[TESS Home](#)
[New User](#)
[Trademark](#)
[FAQs/Forum](#)
[Advanced](#)
[Binary](#)
[HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[Check Status](#) (FARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Word Mark	SPY
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services, namely, providing casino facilities and indoor amusement complexes featuring interactive video machines and games, both of the foregoing with an intrigue and espionage motif
	IC 042. US 100 101. G & S: Hotel Services; providing convention facilities for general purposes, not a space devoted to a single type of activity; restaurant services; and providing nightclub facilities, all of the foregoing with an intrigue and espionage motif
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	020102 090505 260921 261107 261121

Serial Number 76117222
Filing Date August 25, 2000
Current Filing Basis 1B
Original Filing Basis 1B
Published for Opposition June 22, 2004
Owner (APPLICANT) House on F Street, LLC., The LIMITED LIABILITY COMPANY DELAWARE Suite 800 1660 West Second Street Cleveland OHIO 44113
Attorney of Record Warren A. Sklar
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE SPY APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



United States Patent and Trademark Office

[Home](#)

[Index](#)

[Search](#)

[System Alerts](#)

[eBusiness Center](#)

[News & Notices](#)

[Contact Us](#)

Trademark Electronic Search System(Tess)

TESS was last updated on Fri Aug 20 04:41:48 EDT 2004



[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 1 out of 8**

[Check Status](#) (TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark SPY CITY SITES
Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Maps; books and booklets concerning places of interest that pertain to espionage and spying and locations where an event relating to an espionage or spying activity occurred; printed travel information guides; printed city information guides; published novelty items, namely, greeting cards and postcards. FIRST USE: 20030731. FIRST USE IN COMMERCE: 20030731

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78284694

Filing Date August 7, 2003

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition August 3, 2004

Owner (APPLICANT) The House On F Street, LLC. LTD LIAB CO DELAWARE Suite 800, 1660 West Second Street Cleveland OHIO 44113

Attorney of Record Warren A. Sklar

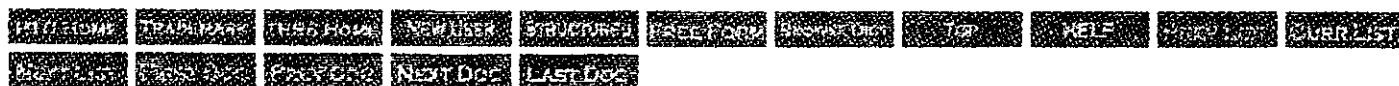
Prior Registrations 2696805

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SITES" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE



HOME | INDEX | SEARCH | SYSTEM ALERTS | BUSINESS CENTER | NEWS&NOTICES | CONTACT US | PRIVACY STATEMENT

◀ 1 2 3 4 View All

ALL IS NOT WHAT IT SEEMS

[Home](#) | [FAQ's](#) | [Customer Care](#) | [Conditions of Use](#) | [Privacy & Security](#) | [Contact Us](#)

TOLL FREE 866.SPYMUSEUM | LOCAL 202.EYE.SPY.U

© Copyright 2003. International Spy Museum and spymuseumstore.org. All Rights Reserved



classified

The Team

[back to The Team: Main](#)

About The Malrite Company

The Malrite Company, developer of the International Spy Museum, is the successor to Malrite Communications Group Inc. founded in 1956. For more than 40 years, Malrite Communications Group was involved in the world of entertainment, news and information through its radio and television broadcasting businesses.

Based in Cleveland, Malrite Communications owned radio stations in major markets across the country including: New York, Los Angeles, San Francisco, Philadelphia, Houston, Minneapolis, Denver and Cleveland. Its television group operated stations in Jacksonville, Rochester, Cincinnati, West Palm Beach, Puerto Rico, Toledo and Cleveland.

In both radio and television, Malrite Communications produced programming for, and marketed some of the top professional sports teams in the country, including the Los Angeles Lakers, Oakland A's, Minnesota Timberwolves, San Jose Sharks, Cleveland Browns, Cleveland Cavaliers and Cleveland Indians.

Today, with a new focus and purpose, The Malrite Company is using its years of expertise to develop innovative museum and education projects around the country. The Malrite Company has convened the best talent available for its collaborative creative teams consisting of Malrite management and research directors, the country's top museum and exhibition designers, innovative video and computer developers, leading architects and interior designers. Malrite is breaking new ground in the development of bold new concepts to enhance arts and entertainment districts starting with the International Spy Museum in Washington, DC

Malrite Principals: [Milton Maltz](#) | [Dennis Barrie](#) | [Michael S. Devine](#) | [Kathleen Coakley](#)

Milton Maltz, founder of The Malrite Company, is the driving force behind the International Spy Museum. He founded Malrite Communications Group, Inc. in 1956 and served as its Chairman and CEO until the company was sold in 1998. Under his direction, Malrite became one of the most successful operators of radio and television properties in the country with stations in major markets like New York and Los Angeles. In 1985, he was the recipient of the prestigious Dively Award for Entrepreneurship, receiving a Chair from the Harvard School of Business. Mr. Maltz served as Director of Key Bank, and in 1996, was inducted into the Cleveland Business Hall of Fame. Two outstanding achievements of his civic endeavors have been the creation of the Maltz Family Foundation and his involvement in the founding and development of the Rock and Roll Hall of Fame and Museum, where he played a major role in obtaining the project for the City of Cleveland. Active in numerous philanthropic and civic organizations, Mr. Maltz and his family work to support various charities both nationally and internationally. Mr. Maltz earned a BS degree in Journalism from the University of Illinois. A veteran of the United States Navy, Mr. Maltz developed an interest in intelligence and national security issues when he worked for the National Security Agency in Washington, DC

Dennis Barrie, President of The Malrite Company, is an internationally distinguished museum director, cultural historian and an expert in entertainment and popular culture. His museum career includes eleven years with the Smithsonian Institution and the direction of the Cincinnati Contemporary Arts Center. As Midwest Director of the Archives of American Art, he worked to document the history of the visual arts in America. As the opening Executive Director of the Rock and Roll Hall of Fame and Museum in Cleveland, Dr. Barrie helped develop the project from concept to its dedication as one of the nation's most celebrated new museums. In 1996, Dr. Barrie formed Barrie Consulting, a firm that focused on the development of new entertainment, museum and cultural projects across the country. His clients included: the Walt Disney Company, The Country Music Hall of Fame and Museum, VH1 and the Experience Music Project. Since joining The Malrite Company in 1998, Dr. Barrie has worked to develop new and creative concepts for museum projects in cities across the country. Dr. Barrie received his BA and MA from Oberlin College and his PhD in American Cultural History from Wayne State University.

Michael S. Devine, Vice President and Chief Financial Officer for The Malrite Company, oversees the financial assets of The Malrite Company and manages the economic analysis of operations for the International Spy Museum and other proposed Malrite projects. Prior to his employment with The Malrite Company, he worked at Ernst & Young, LLP as a Tax Consulting Manager. During his eight years with Ernst & Young, Mr. Devine served in the Entrepreneurial Services Group, focusing on communication and entertainment-related companies. Additionally, during his Ernst & Young tenure, he began his association with the Malrite Communications Group and its CEO Milton Maltz. Mr. Devine is a graduate of Ohio State University with a BS in Business and Accounting.

Kathleen Coakley, Vice President of Exhibition Development for The Malrite Company, is part of the Core Development Team for the International Spy Museum. With more than 25 years of museum, civic, arts and cultural non-profit experience, Ms. Coakley oversees the creative and content aspects of exhibition development and special programs for the Museum. She was the founder of the Committee for Public Art (CPA) and served as its Executive Director for fifteen years. CPA is an organization that brings together designers, decision-makers and interested citizens to plan and execute projects that are vital to the well-being and livability of a region. She has been responsible for the realization of several million-dollar public art projects, including collections at the Jacobs Field and Gund Arena complex, and related to the historic renovation of Cleveland's Public Library's Main complex. She is the recipient of numerous awards, including the Loeb Fellowship in Advanced Environmental Design at Harvard University and the Cleveland Arts Prize for Distinguished Service to the Arts.

Consultants

Advisory Board of Directors and Advisory Council

OFFICIAL
MEDIA SITE

[Delete](#) [Prev](#) [Next](#) [Reply/All](#) [Forward/Inline](#) [Open](#) [Inbox](#) 279 of 287

[Go to](#)

Date: Sun, 22 Aug 2004 05:19:47 -0400 (EDT)

From: estta-server@uspto.gov [Add To Address Book](#) | [This is Spam](#)

Subject: ESTTA. Request for extension of time to file notice of opposition.
confirmation receipt ID: ESTTA13746

To: darrow@citysites.com

Request for extension of time to file notice of opposition.

Tracking No: ESTTA13746

ELECTRONIC SYSTEM FOR TRADEMARK TRIALS AND APPEALS Filing
Receipt

We have received your Request for extension of time to file notice of opposition. submitted through the Trademark Trial and Appeal Board's ESTTA electronic filing system. This is the only receipt which will be sent for this paper. If the Board later determines that your submission is inappropriate and should not have been accepted through ESTTA, you will receive notification and appropriate action will be taken.

Please note:

Unless your submission fails to meet the minimum legal requirements for filing, the Board will not cancel the filing or refund any fee paid.

If you have a technical question, comment or concern about your ESTTA submission, call (703) 308-9300 during business hours or e-mail at estta@uspto.gov.

The status of any Board proceeding may be checked using TTABVUE which is available at <http://ttabvue.uspto.gov> Complete

information on Board proceedings is not available through the TESS or TARR databases. Please allow a minimum of 2 business days for TTABVUE to be updated with information on your submission.

The Board will consider and take appropriate action on your request for an extension of time to file an opposition in due course.

Printable version of your request is attached to this e-mail

ESTTA server at <http://estta.uspto.gov>

ESTTA Tracking number: ESTTA13746
Filing date: 08/22/2004

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

Applicant: The House On F Street, LLC.
Application Serial Number: 78284694
Application Filing Date: 08/07/2003
Mark: SPY CITY SITES
Date of Publication: 08/03/2004

First 90 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Darrow H. Boggiano, 618 - Seven And A Half Street, S.W., Charlottesville, VA 22901, UNITED STATES, an individual and a citizen of UNITED STATES respectfully requests that he/she be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good cause is established for this request by:

August 22, 2004

Page One of Three

FROM:

Darrow Boggiano, Owner,
CitySites
618 Seven and A Half Street SW
Charlottesville, VA 22901

TO:

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

Re: Serial # 78284694

Dear Director and Examining Attorney,

I respectfully request that the Director restore this application to the Examining Attorney due to clear error in failure to refuse registration due to the similarity and conflict between the registered CitySites mark and the above referenced application.

1. See Registrations for CitySites"
 - a. 2346865, May 02, 2000 "CitySites" (IC 042, 035) US 100, 101, 102
 - b. 2199399, October 27, 1998
 - c. Acknowledged Section 8 and Section 15 Incontestability
2. See Applications for "Spy CitySites"
 - a. Serial # 76117222 (IC 042, 041) US 100, 101, 107
 - b. Serial # 78284694 (IC 016) US 002, 005, 022, 023, 029, 037, 038, 050)

The Opposition filed in this case has been withdrawn and an extension has been requested for 90 days additional time to oppose, in order for your Offices to have time to respond to this request.

FROM:

Darrow Boggiano, CitySites

TO:

Director, Trademark Examinations
Page Two of Three, August 22, 2004

Respectfully Submitted,

Darrow Boggiano
(434) 295-3327 (through 8/25/04)
(434) 971-7434 (after 8/25/04)

cc: Examining Attorney, Serial #78284694 (Spy City Sites)

P.S. This request is made pursuant to:

1504.03 Action By Examining Attorney After
Publication

If it is found necessary, e.g., through internal quality review by the Office, for an examining attorney to refuse registration or to make a requirement after a mark has been published for opposition, jurisdiction over the application must be restored to the examining attorney.

With the exception of applications that are the subject of inter partes proceedings before the Board (see TMEP §1504.05

(a)), the examining attorney can telephone an applicant and issue an examiner's amendment without restoration of jurisdiction. However, if the examining attorney issues an Office action, even if merely asking for additional information, the examining attorney must request jurisdiction, because the request for additional information is a "requirement."

If it is necessary to issue an Office action after

FROM:

Darrow Boggiano, CitySites

TO:

Director, Trademark Examinations

Page Three of Three, August 22, 2004

publication, the examining attorney must check the status of the application to determine whether the Board has received a notice of opposition or request for extension of time to oppose. If the Board has not received a notice of opposition or extension request, the examining attorney should file a request to restore jurisdiction, directed to

the Director. See TMEP §1504.04(a). If a notice of opposition has been filed, jurisdiction is with the Board, and the examining attorney should file a request for remand, directed to the Board. See TMEP §1504.05(a).

If a request for an extension of time to file an opposition has been filed, the Board does not have jurisdiction, so the examining attorney must file a request for jurisdiction addressed to the Director. TBMP §212.01. However, the examining attorney should notify the legal assistant at the Board that he or she proposes to take action on the application. The legal assistant will approve or deny the extension request or take other appropriate action and will then send the application file to the examining attorney. See TBMP §§212 et seq. for additional information about

amendment of an application during an extension of time to oppose.

See TMEP §§1505 et seq. regarding amendments proposed by applicants after publication.

1504.04 Restoration of Jurisdiction to Examining Attorney by Director

If it is necessary to refuse registration or to make a requirement after publication of the mark for opposition and the Board does not have jurisdiction over the application (see TMEP §1504.02), the examining attorney must request that the Director restore jurisdiction so that the examining attorney may take the specified action on the application.

As noted in TMEP §1504.01, however, the examining attorney does not have to request jurisdiction to act in a §1(b) application after issuance of the notice of allowance.

Normally, the Director will restore jurisdiction to the examining attorney only if there has been a clear error.

After actual publication of a mark, a restoration of jurisdiction to the examining attorney is possible only in the case of an application for registration on the Principal Register. A mark found registrable on the Supplemental Register is not published for opposition but is published only when it has matured into a registration.

The time within which to file a notice of opposition is set to expire on 09/02/2004. Darrow H. Boggiano respectfully requests

that the time period within which to file an opposition be extended until 12/01/2004.

Respectfully submitted,

Darrow H. Boggiano

/Darrow Boggiano 082204/

08/22/2004

Darrow H. Boggiano

Owner

CitySites

618 - Seven And A Half Street, S.W.

Charlottesville, VA 22901

UNITED STATES

darrow@citysites.com Phone:434.295.3327 alt 971-7434

[Delete](#) [Prev](#) [Next](#) [Reply/All](#) [Forward/Inline](#) [Open](#) [Inbox](#) 279 of 287

[Go to](#)