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Filing date: **05/13/2005**

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

<b>Proceeding</b>	91162489
<b>Party</b>	Defendant RawVibe Entertainment, Inc. RawVibe Entertainment, Inc. 10040 Sheridan Street Suite 211 Pembroke Pines, FL 33024
<b>Correspondence Address</b>	David M. Adler, Esq. David M. Adler, Esq. & Assoc. PC 2 N. LaSalle St. Suite 1600 Chicago, IL 60602
<b>Submission</b>	Declaration of Shanee Y. Williams in Support of RawVibe Entertainment's Opposition to Vibe Venture's Motion for Enlargement of Discovery and Testimony Periods on Consent
<b>Filer's Name</b>	Shanee Y. Williams
<b>Filer's e-mail</b>	shanee.williams@dechert.com, liz.kim@dechert.com
<b>Signature</b>	/s/
<b>Date</b>	05/13/2005
<b>Attachments</b>	Opposition Number 91162489 - Decl of SYW ISO Opposition of Applicant.pdf ( 4 pages )

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

Applicant: RawVibe Entertainment, Inc.  
Mark: RAWVIBE  
Serial No.: 78/254,486  
Filed: May 27, 2003  
Published: June 1, 2004  
Goods: Pre-recorded audio, visual and audio-visual performances in analog and digital configurations and formats contained in analog magnetic tapes and discs, all containing music in International Class 9.

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VIBE VENTURES LLC,

Opposer,

Opposition No. 91162489

v.

RAWVIBE ENTERTAINMENT, INC.,

Applicant.

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**DECLARATION OF SHANEE Y. WILLIAMS IN SUPPORT OF RAWVIBE  
ENTERTAINMENT'S OPPOSITION TO VIBE VENTURES' MOTION FOR  
ENLARGEMENT OF DISCOVERY AND TESTIMONY PERIODS ON CONSENT**

I, SHANÉE Y. WILLIAMS, declare:

1. I am an attorney at law duly licensed to practice law in the State of California, and am an associate with the law firm of Dechert LLP ("Dechert"), counsel for Plaintiff Silvaco Data Systems. The following declaration is based on my personal knowledge. If called upon to testify, I could testify competently as to the matters set forth herein.

2. On November 23, 2004, RawVibe filed its Answer to Vibe's Opposition. Subsequent to that filing, Vibe never made any attempt to contact RawVibe or to serve any discovery on RawVibe.

3. On April 26, 2005, Jean Voutsinas, counsel for Vibe, contacted me via telephone to seek an extension of the discovery period for two months. After discussing the possibility of a brief extension of the discovery period, I asked Ms. Voutsinas to prepare a stipulation for my client to review, and if acceptable, approve. Ms. Voutsinas agreed to prepare the requested stipulation. During our discussion, no other deadlines were mentioned or discussed.

4. On April 26, 2005, Vibe served its Motion to Enlarge Discovery and Testimony Periods. Prior to service of its motion, Vibe never submitted the promised stipulation, and never obtained RawVibe's consent to the dates proposed therein.

5. On May 2, 2005, I sent a letter to Ms. Voutsinas requesting that Vibe withdraw its motion, because RawVibe never consented to Vibe's proposed three-month extension of the discovery period, nor the three-month extensions of the testimony periods. Indeed, I informed Ms. Voutsinas that RawVibe had not consented to any aspect of Vibe's motion.

6. On May 3, 2005, Ms. Voutsinas left a voicemail for me indicating that Vibe would take necessary steps to withdraw its motion. As of the date of filing this motion, I have not received any confirmation from Vibe that its motion has been withdrawn.

7. On May 4, 2005, Ms. Voutsinas emailed me and conceded that the parties had never discussed the proposed dates for extension of the testimony period.



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Declaration of Shanée Y. Williams In Support Of Applicant's Opposition to Vibe's Motion for Enlargement of Discovery and Testimony Periods On Consent has been duly served by mailing such copy first class, postage prepaid, to Edward H. Rosenthal, Esq., Frankfurt Kurnit Klein & Selz, PC, 488 Madison Avenue, New York, NY 10022, on May 13, 2005.

/s/

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Elizabeth Kim