

TIAB

Amie B. Trupke

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608.259.2672

December 15, 2004

Trademark Trial and Appeal Board
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Re: The Guardian Life Insurance Company of America v. Church Mutual Insurance
Company
Opposition Number 91162554

Dear Sir or Madam:

We represent Church Mutual Insurance Company in this matter. On December 14, 2004, we filed a motion to extend the time to respond to The Guardian Life Insurance Company of America's ("Guardian") requests for production of documents. Because Guardian has withdrawn their requests for production, we wish to withdraw our motion to extend the time to respond to the requests. By copy of this letter, opposing counsel will receive a copy of this letter. Thank you.

Very truly yours,

STAFFORD ROSENBAUM LLP

Amie B. Trupke

Amie B. Trupke

ABT:abt

cc: Virginia R. Richard and Matthew Pater

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12-23-2004

TTAB

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December 14, 2004

Trademark Trial and Appeal Board
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Re: The Guardian Life Insurance Company of America v. Church Mutual Insurance
Company; Opposition Number 91162554

Dear Sir or Madam:

Enclosed for filing in the above-entitled proceeding, please find the following:

- (1) Substitution of Domestic Representative;
- (2) Original Affidavit of John F. Cleary in Support of Motion to Reopen Time to Answer
Notice of Opposition;
- (3) Certificate of Service; and
- (4) Certificate of Mailing.

By copy of this letter, opposing counsel will receive a copy of these documents. Thank you.

Very truly yours,

STAFFORD ROSENBAUM LLP

Amie B. Trupke

Amie B. Trupke

ABT:abt
Enclosures

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12-23-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #66

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cc: Virginia R. Richard (with enclosures)

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

THE GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA,

Opposer,

v.

CHURCH MUTUAL INSURANCE
COMPANY,

Applicant.

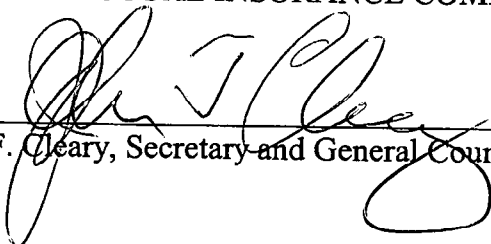
Opposition: 91162554
Serial No: 76341367
Filed: November 23, 2001
Mark: GLOBAL GUARDIAN
Int. Class: 36
Published: September 28, 2004

SUBSTITUTION OF DOMESTIC REPRESENTATIVE

Applicant Church Mutual Insurance Company hereby withdraws its current domestic representative and attorney, James D. Peterson of the law firm LaFollette Godfrey & Kahn, and designates Robert Horowitz, whose postal address is Stafford Rosenbaum LLP, 3 South Pinckney Street, Suite 1000, Post Office Box 1784, Madison, Wisconsin 53701-1784, as its domestic representative and attorney upon whom notice or process in this proceeding may be served.

Dated: December 14th, 2004.

CHURCH MUTUAL INSURANCE COMPANY

By 
John F. Cleary, Secretary and General Counsel

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

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CHURCH MUTUAL INSURANCE
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AFFIDAVIT OF JOHN F. CLEARY IN SUPPORT OF MOTION TO REOPEN TIME
TO ANSWER NOTICE OF OPPOSITION

STATE OF WISCONSIN

COUNTY OF LINCOLN

John F. Cleary, being duly sworn, states:

1. I am the Secretary and General Counsel of Church Mutual Life Insurance Company ("Church Mutual"). I make this affidavit of my own personal knowledge and in support of Church Mutual's motion to reopen the time to answer the notice of opposition filed by The Guardian Life Insurance Company of America ("Guardian").

2. On November 23, 2001, Church Mutual filed a service mark application for the mark "GLOBAL GUARDIAN." Church Mutual was represented by James D. Peterson of LaFollette Godfrey & Kahn ("LaFollette").

3. In October 2004, LaFollette sent me a copy of the notice of opposition that had been filed by Guardian.

4. Later that month, LaFollette told me that it would obtain an extension of the time in which we were required to answer.

5. Some time later, LaFollette told me that LaFollette had a conflict of interest because Guardian was either a current or former client of the firm.

6. During this discussion, I asked LaFollette whether it would be appropriate for someone in the firm to contact Guardian's attorney and discuss the dismissal of the opposition in exchange for an acceptable license agreement.

7. LaFollette told me that it would check to see whether there was something that it could do. Because LaFollette had not told me otherwise, I assumed the firm had obtained an extension and was negotiating a license agreement with Guardian.

8. Toward the end of November, I called LaFollette to check on the status of its discussions with Guardian's attorney about a possible license agreement.

9. LaFollette told me that it had left me a message earlier in November that the firm could not contact Guardian's attorney because of the conflict and that Church Mutual should contact Guardian instead.

10. Apparently, I did not receive LaFollette's earlier message due to a problem with our message system.

11. Right after I heard that, I called Guardian's law firm, Winston & Strawn LLP ("Winston"), to discuss a possible license agreement.

12. Winston told me that because the answer period had expired several days earlier, it would not negotiate.

13. I then contacted LaFollette and requested that it recommend a law firm to represent Church Mutual going forward in this matter.


14. On or about December 3, 2004, Church Mutual retained Stafford Rosenbaum LLP to represent it.

15. LaFollette never called us or sent us a letter immediately prior to the expiration of the answer period.



John F. Cleary

Subscribed and sworn to before me
this 9th day of December, 2004.



Notary Public, State of Wisconsin

My commission expires: is permanent

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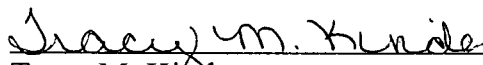
CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the following documents:

1. Substitution of Domestic Representative; and
2. Original Affidavit of John F. Cleary in Support of Motion to Reopen Time to Answer Notice of Opposition.

are being served on The Guardian Life Insurance Company of America by mailing said copies on December 4, 2004, by First Class mail to:

Virginia R. Richard
Winston & Strawn LLP
200 Park Avenue
New York, New York 10166


Tracy M. Kinder

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

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CERTIFICATE OF MAILING

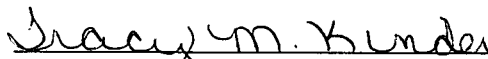
I hereby certify that the following documents:

1. Substitution of Domestic Representative; and
2. Original Affidavit of John F. Cleary in Support of Motion to Reopen Time to Answer Notice of Opposition.

are being sent by First Class mail in an envelope addressed to:

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

on December 14, 2004.


Tracy M. Kinder