

smith & hopon, p.a.

Intellectual Property Law Patents Trademarks Copyrights

TTAB

February 22, 2005

United States Department of Commerce
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

Opposer: Smartpool, Inc.
Applicant: Green Energy, Inc.
Serial No.: 78/336,956
Mark: SUNWAVE
Filed: 12/05/2003
Our Reference No.: 1707.01

Dear Sir:

Enclosed please find the following:

1. Stipulated Motion to Extend Time to File an Answer – (2 pages); and
2. Self-addressed and postage pre-paid post card to serve as a receipt for item 1.

Very respectfully,

SMITH & HOPEN

By: Thomas E. Toner
tom.toner@smithhopon.com

TET/sb
Encl.



03-09-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

CERTIFICATE OF MAILING
(37 C.F.R. 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514; and to James M. Slattery, Attorney for Opposer, P.O. Box 747, Falls Church, Virginia 22040-0747, on February 22, 2005.

Dated: February 22, 2005

Shelley Butz

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

SMARTPOOL, INC.

Opposer

v.

GREEN ENERGY INC.

Applicant

Opposition No. 91163836

Serial No. 78336956

For the mark **SUNWAVE**

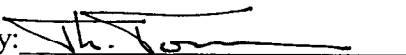
Filed: December 5, 2003

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

STIPULATED MOTION TO EXTEND TIME TO FILE ANSWER
TBMP §509.02

Per a telephone conversation on February 17, 2005, Opposer and Applicant have entered discussions regarding settlement and wish to extend the time which Applicant's Answer is due pending conclusion of their negotiations. It is respectfully requested the Board extend the deadline for Applicant's Answer to March 11, 2005.

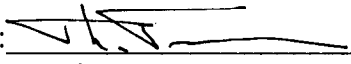
Very respectfully,
SMITH & HOPEN, P.A.

By: 
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Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

CERTIFICATE OF TRANSMISSION MAILING

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Dated: February 22, 2005

By: 
Thomas E. Toner