

ESTTA Tracking number: **ESTTA335809**

Filing date: **03/05/2010**

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

Proceeding	91191601
Party	Plaintiff The Laryngeal Mask Company Limited
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Submission	Opposition/Response to Motion
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Date	03/05/2010
Attachments	Response to Motion for an Extension of Time to Respond to Discovery.pdf (3 pages)(35343 bytes)

4. As a basis for his motion, Applicant has stated that the Brazilian postal service is “subject to unpredictable delays” and that he only received the hard copies on February 11, 2010.

5. In addition to the hard copies that were served on Applicant, Applicant was provided with courtesy copies by electronic transmission on January 28, 2010, as has been the case with respect to all previous papers filed and served in this proceeding.

6. Opposer has requested that Applicant consent to service by electronic transmission for the duration of this proceeding to avoid the “unpredictable delays” he has identified, to the extent they exist.

7. Although Applicant never consulted with Opposer regarding Applicant’s request for additional time until after he filed his motion, Opposer does not oppose Applicant’s motion to extend the deadline for responding to the outstanding discovery requests to March 9, 2010.

Respectfully submitted,

FOLEY & LARDNER LLP

Dated: New York, New York
March 5, 2010

By: /s/ James E. Griffith

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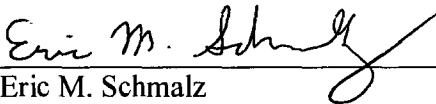
CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **OPPOSER THE LARYNGEAL MASK COMPANY LTD.'S RESPONSE TO APPLICANT ANIBAL DE OLIVEIRA FORTUNA'S REQUEST FOR AN EXTENSION OF TIME TO RESPOND TO DISCOVERY** was deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Applicant:

Dr. Anibal de Oliveira Fortuna
Av. Alm. Cochrane, 83 apto. 161
11040-001 Santos, SP Brazil

and sent to him via electronic mail at the address "anibal.fortuna@uol.com.br."

Dated: March 5, 2010


Eric M. Schmalz