

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

-----X		
ATI TECHNOLOGIES ULC.	:	
	:	Opposition No.: 91193491
Petitioner,	:	Application No.: 78/812,301
	:	Mark: IMAGENIO
v.	:	
TELEFONICA, S.A.	:	
	:	
Applicant	:	
-----X		

**APPLICANT'S RESPONSE TO ORDER TO SHOW CAUSE**

Applicant, TELEFONICA, S.A., hereby responds to the Board's Order mailed on July 12, 2010 requiring Applicant to show cause why judgment by default should not be entered against Applicant for failure to timely file an Answer or otherwise move with respect to the Notice of Opposition.

Counsel for the parties previously agreed to extend the time for Applicant to Answer or otherwise move with respect to the Notice of Opposition by sixty (60) days up to and including July 30, 2010. The parties further agreed that the remaining dates in the Schedule should also be extended by sixty (60) days. Applicant's undersigned counsel filed a Motion on Consent seeking the aforementioned sixty (60) day extension of the schedule. A copy of this Motion on Consent is attached hereto as Exhibit 1. Please be advised that the opposition number on the previously filed Motion on Consent as shown in Exhibit 1 hereto contained a typographical error in the opposition number. As a result, the Motion on Consent was directed by the Board and, in fact, granted by the Board in another proceeding. Applicant's undersigned counsel is contacting the Board in relation to such other proceeding.

In view of the foregoing, it is respectfully requested that the Board extend Applicant's time to Answer or otherwise move with respect to the Notice of Opposition as well as the other remaining dates in the Schedule in accordance with the revised Schedule sought in the Motion on Consent attached hereto as Exhibit 1.

Dated: New York, New York  
July 14, 2010



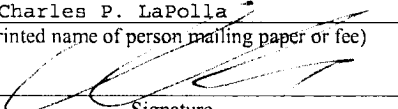
07-19-2010

FIRST CLASS MAILING CERTIFICATE

Date of Deposit: July 14, 2010

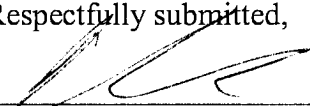
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail, postage prepaid on the date indicated above and is addressed to: Box: TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451.

Charles P. LaPolla  
(Printed name of person mailing paper or fee)

  
Signature

CPL:sr

Respectfully submitted,

  
Charles P. LaPolla

OSTROLENK FABER LLP  
1180 Avenue of the Americas  
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Attorneys for Applicant  
TELEFONICA, S.A.

EXHIBIT 1

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

-----X  
ATI TECHNOLOGIES ULC.

Petitioner,

v.

TELEFONICA, S.A.

Registrant  
-----X

Opposition No.: 92051893

Application No.: 78/812,301

Mark: IMAGENIO

**MOTION ON CONSENT**  
**FOR 60 DAY EXTENSION OF SCHEDULE**

Registrant, TELEFONICA, S.A., with the consent of Petitioner, moves the Board for a 60 day extension of time to Answer or otherwise move with respect to the Petition to Cancel and of the other dates in the schedule referred to in the Board's Order dated March 1, 2010 so that the schedule will be reset as follows:

Time to Answer	7/30/2010
Deadline for Discovery Conference	8/29/2010
Discovery Opens	8/29/2010
Initial Disclosures Due	9/28/2010
Expert Disclosures Due	1/26/2011
Discovery Closes	2/25/2011
Plaintiff's Pretrial Disclosures	4/11/2011
Plaintiff's 30-day Trial Period Ends	5/26/2011
Defendant's Pretrial Disclosures	6/10/2011
Defendant's 30-day Trial Period Ends	7/25/2011
Plaintiff's Rebuttal Disclosures	8/9/2011
Plaintiff's 15-Day Rebuttal Period Ends	9/8/2011

The reason for the request for extension of time is that the parties are still exploring the potential for settlement. Counsel for Petitioner, Teresa D. Tambolas, Esq. consented to the requested extension by telephone conference on June 1, 2010. It is therefore respectfully requested that the extension of the schedule be granted.

Dated: New York, New York  
June 1, 2010

FIRST CLASS MAILING CERTIFICATE

Date of Deposit: June 1, 2010

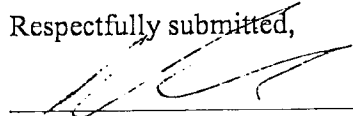
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Charles P. LaPolla  
(Printed name of person mailing paper or fee)

  
Signature

CPL:sr

Respectfully submitted,

  
Charles P. LaPolla

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Attorneys for Registrant  
*JUMP APPAREL CO., INC.*

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of June, 2010, a true copy of the foregoing MOTION ON CONSENT FOR 60 DAY EXTENSION OF SCHEDULE was served on counsel for Petitioner via first class mail with sufficient postage addressed to:

Teresa D. Tambolas, Esq.  
PATTISHALL, McAULIFFE, NEWBURY,  
HILLIARD & GERALDSON LLP  
311 South Wacker Drive  
Suite 5000  
Chicago, Illinois 60606




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Charles P. LaPolla

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of July, 2010, a true copy of the foregoing APPLICANT'S RESPONSE TO ORDER TO SHOW CAUSE was served on counsel for Opposer via first class mail with sufficient postage addressed to:

Teresa D. Tambolas, Esq.  
PATTISHALL, McAULIFFE, NEWBURY,  
HILLIARD & GERALDSON LLP  
311 South Wacker Drive  
Suite 5000  
Chicago, Illinois 60606



Charles P. LaPolla