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

Proceeding	92058094
Party	Defendant Lightwave Publishing Inc.
Correspondence Address	DAVID P COOPER KOLISCH HARTWELL PC 520 S W YAMHILL STREET, SUITE 200 PORTLAND, OR 97204 UNITED STATES
Submission	Reply in Support of Motion
Filer's Name	David P. Cooper
Filer's e-mail	cooper@khpatent.com,mandi@khpatent.com
Signature	/ David P. Cooper /
Date	04/14/2015
Attachments	20150414 Registrant's Reply to Petitioner's Opp to Extend Discovery SMTT429CAN.pdf(109366 bytes )



*Engineering, Inc. and Missouri Tooling & Automation*, United States District Court for the Northern District of New York, Case No. 3:13-cv-831 (GLS/DEP); and *MyKey Technology Inc. Patent Litigation v. Intelligent Computer Solutions, Inc. et al.*, United States District Court Central District of California, Case No. 2:13-ml-02461-AG (PLAx). *Cooper Decl.*, § 2.

Registrant's attorney is lead defense counsel for the defendants in the *TMI Products* and the *Universal Instruments* cases, and for one of the defendants in the *MyKey Technology* case. In connection with the *TMI Products* case, I argued an appeal before the U.S. Court of Appeals for the Federal Circuit on March 6, 2015, the day that I also filed Registrant's Motion. In connection with the *Universal Instruments* case, the parties have been involved with substantial document discovery since November, 2014, and that documents discovery has involved several hundred thousand pages of documents pertaining to claims of trade secret misappropriation and copyright infringement of computer programs. Depositions began in March will continue through July, 2015. The *MyKey Technology* case is a multi-district-litigation (MDL) patent matter involving eight defendants. In 2014, the parties completed the *Markman* process and have been proceeding with a bifurcated pre-trial procedure, conducting discovery first concerning the validity of plaintiff's patents. That discovery has included the exchange of expert reports, as well as depositions that began on Feb. 25, 2015, and will continue through March 24, 2015. *Cooper Decl.*, §§ 3-6.

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Registrant's attorney now has additional staff to assist with this matter, and expects to resolve the ongoing discovery dispute with Petitioner's counsel in the next two weeks. He will communicate with Petitioner's counsel this week regarding those outstanding matters. *Cooper Decl.*, § 7. Registrant will also file a status report as to the discovery dispute by April 27, 2015.

Respectfully submitted,

Dated: April 14, 2015

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/ David P. Cooper /  
David P. Cooper  
Registration No. 33,372  
Kolisch Hartwell, P.C.  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 972-9115

Attorney for Respondent  
Lightwave Publishing Inc.

