

TSD (3)
TSD Regulation 5.15

Trade Marks Act 1995
APPLICATION FOR AN EXTENSION OF TIME
FOR SERVICE OF EVIDENCE IN ANSWER

Trade Mark No.: 917822

In the Name of: CaesarStone Sdot-Yam Ltd

DETAILS OF APPLICANT FOR EXTENSION OF TIME

Name: CaesarStone Sdot-Yam Ltd

Address: Kibbutz Sdot-Yam, Mobile Post, Menashe, 38805, Israel

Address for Service is:

SHELSTON IP, 60 Margaret Street, Sydney, N.S.W., 2000

Telephone No.
(02) 9777 1111

Facsimile No.
(02) 9241 4666

Our Reference
35905AU000

Application is made under Regulation 5.15

for a late extension of time of three (3) month(s)
From: 20 November 2004 until: 20 February 2005

within which to serve Evidence in Answer.

A Statutory Declaration in Support of this application is attached

A copy of this application and statutory declaration has been dispatched today to the opponent's address for service, Spruson & Ferguson, at Level 35, St Martins Tower, 31 Market Street, Sydney, New South Wales, 2000 by Express Post dated 23 November 2004.

Dated: 23 November 2004

Arlene Elayda, Trade Marks Attorney for
CaesarStone Sdot-Yam Ltd

To: The Registrar of Trade Marks
Fee: \$150.00 per month x 3 months = \$ 450
File: 35905AU000

IP Australia SYD
RECORDED
23 NOV 2004
Batch: 399123

AUSTRALIA

TRADE MARKS ACT 1995

IN THE MATTER of Australian Trade Mark
Application No. 917822 **CAESAR MOSAIC**
in Classes 19 & 20 in the name of CaesarStone
Sdot-Yam Ltd

- and -

Opposition thereto by Ceramiche Caesar S.p.A

STATUTORY DECLARATION

I, **ARLENE ELAYDA**, of Level 21, 60 Margaret Street, Sydney, New South Wales 2000, Australia do solemnly and sincerely declare as follows: -

1. I am a Trade Marks Attorney employed by the Patent & Trade Mark Attorneys firm of Shelston IP ("my firm"). My firm acts for CaesarStone Sdot-Yam Ltd., the Applicant for registration of the trade mark number 917822 CAESAR MOSAIC ("the Trade Mark"), the subject of the above opposition.
2. The Applicant has instructed my firm to negotiate a settlement with the Opponent. A letter has been sent to the Opponent, which has been reiterated in a telephone conversation with the Opponent's attorneys yesterday. The Opponent's attorneys advised that the Opponent is still considering the Applicant's offer. Accordingly, an extension of time until 20 February 2005 is requested to allow the parties sufficient time to negotiate and explore the possibility of settlement.
3. In relation to the late extension of time, the inadvertent error as to the real deadline in the opposition arose because of the incorrect entry of the deadline by a secretary in the department then temporarily assigned to assist me. The wrong deadline was then reflected in my list of upcoming deadline, hence the delay. On verification today with the on-line Australian Trade Marks database, it became clear however that the deadline is in fact 20 November and not 23 November as indicated in my list of upcoming deadlines. In view of the above, I request that the late extension of time be allowed.

AND I MAKE this solemn Declaration by virtue of the Statutory Declarations Act 1959, and subject to penalties provided by that Act for the making of false statements in Statutory Declarations, conscientiously believing the statements contained in this Declaration to be true in every particular.

DECLARED AT SYDNEY
this 23rd day of November 2004

Before me:

K Mytton
Authorized Witness



ARLENE ELAYDA

Name: KATHRYN MYTTON

Title: LEGAL PRACTITIONER