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

PYRAMID TECHNOLOGY CORPORATION.

Opposer,

v.

PYRAMID IMAGING, INC.,

Applicant.

Opposition No. 104,163

01-29-2002

U.S. Patent & TMOfc/TM Mail Ropt Dt. #01

## MOTION TO EXTEND TRIAL DATES

Opposer, Pyramid Technology Corporation, by its attorneys, hereby moves this Board for a further 60 day extension of the trial dates as follows:

Testimony period for party in

position of plaintiff to close:

April 9, 2002

Testimony period for party in

position of defendant to close:

June 8, 2002

Rebuttal testimony period to close:

July 23, 2002

Opposer and Applicant have agreed upon and drafted a settlement agreement. However, Opposer's new management is continuing to review the draft agreement. The requested extensions of the trial dates will provide the parties with sufficient time to complete the further review and execute the agreement.

Applicant's attorney has stipulated to the relief requested in this motion.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB

Dated: January 29, 2002

LAWRENCE E. ABELMAN STEPHEN J. QUIGLEY

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Attorneys for Opposer Pyramid Technology Corporation

EXPRESS MAIL number: ET537518225US Date of Deposit: January 29, 2002

This paper (and/or fee) is being deposited with the United States Postal Service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202.

STEPHEN J. QUIGLEY (Name of person mailing paper or fee)

(Signature of person mailing paper or fee)

## **CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing MOTION TO EXTEND TRIAL DATES was served on Applicant by first class mail, postage prepaid, this 29th day of January, 2002 to Applicant's attorney:

Paul Raynor Keating, Esq. Carroll, Burdick & McDonough, LLP 44 Montgomery Street, Suite 400 San Francisco, CA 94101

Stephen J. Quigley

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UNITED STATES PATENT AND TRADEMARK OFFICE Trademark Trial and Appeal Board 2900 Crystal Drive Arlington, Virginia 22202-3513

Mailed: February 5, 2002

Opposition No. 91104163

PYRAMID TECHNOLOGY CORPORATION

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PYRAMID IMAGING, INC.

## Amy King, Paralegal Specialist

Opposer's consented motion filed January 29, 2002 to extend testimony periods is granted. Trademark Rule 2.127(a).

Testimony periods are reset in accordance with opposer's motion.