

TTAB



03-03-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #01

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

-----X	
Exxon Mobil Corporation,)
)
Opposer,)
)
v.)
)
DataWorx, B.V.,)
)
Applicant.)
-----X	

Mark:	DEXXON
Opp. No.:	120,519
Serial No.:	75/511805

**MOTION ON CONSENT TO EXTEND
DISCOVERY AND SUBSEQUENT PERIODS**

The Applicant DataWorx, B.V., requests that the discovery period be extended by sixty (60) days up to and including April 29, 2003, and that all subsequent periods be reset accordingly. The Parties have been proceeding with discovery but would like additional time in which to complete this process as a large number of responsive materials are involved.

Consent for this motion was received from Opposer's counsel, Mr. Stephen P. Meleen, Esq., during a telephone conversation with him on February 24, 2003.

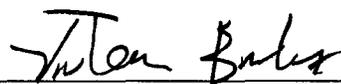
The trial calendar is thus as follows:

- | | |
|--|---|
| Discovery period to close. | April 29, 2003 |
| Testimony period for party in position of plaintiff to close | July 28, 2003 |
| Testimony period for party in position of defendant to close | September 26, 2003 |
| Rebuttal testimony period to close | (opening fifteen days prior thereto)
November 10, 2003 |

Briefs on final hearing shall become due as provided in Trademark Rule 2.128.

It is respectfully moved that the periods be reset as indicated above with the concurrence of the Trademark Trial and Appeal Board. This Motion has been filed in triplicate.

Respectfully submitted
for Applicant,

By: 
for Jess M. Collen
COLLEN IP
The Holyoke-Manhattan Building
80 South Highland Avenue
Ossining, New York 1562

JMC:JPB

Dated: February 27, 2003
The Holyoke-Manhattan Building
80 South Highland Avenue
Ossining, New York 1562

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: TRADEMARK TRIAL AND APPEAL BOARD, UNITED STATES PATENT AND TRADEMARK OFFICE, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202 on February 27, 2003.

COLLEN IP, THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE, OSSINING, NEW YORK 10562

By: 
Date: November 27, 2003

CERTIFICATE OF SERVICE

I hereby certify that the Motion on Consent to Extend Discovery and Subsequent Periods has been served upon Stephen P. Meleen, Esq., and Fulbright & Jaworski L.L.P., 600 Congress Avenue, Suite 2400, Austin, Texas 78701, by first class mail, postage prepaid, on February 27, 2003.



Julian Burke