

TAB

05-30-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #71

**IN THE UNITED STATES PATENT AND TRADEMARK
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 thirty (30) days up to and including June 28, 2003, and that all subsequent periods be reset accordingly. The Parties have been proceeding with discovery but have also been engaged in discussions regarding potential settlement and would like additional time to complete discovery if settlement cannot be reached.

Consent for this motion was received from Opposer's counsel, Louis Pirkey, Esq., in his correspondence dated May 21, 2003.

The trial calendar is thus as follows:

- | | |
|--|---|
| Discovery period to close | June 28, 2003 |
| Testimony period for party in position of plaintiff to close | September 26, 2003 |
| Testimony period for party in position of defendant to close | November 26, 2003 |
| Rebuttal testimony period to close | (opening fifteen days prior thereto)
January 9, 2004 |

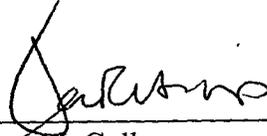
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 TRADEMARK TRIAL AND APPEAL BOARD

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:pm

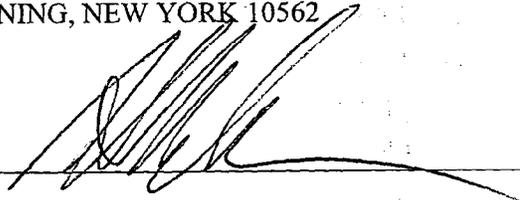
Enclosures - Certificate of Service
- Duplicate Copies

Dated: May 28, 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 MAY 28, 2003.

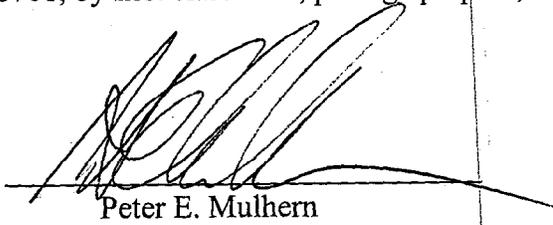
COLLEN IP, THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE, OSSINING, NEW YORK 10562

By: 

Date: May 28, 2003

CERTIFICATE OF SERVICE

I hereby certify that the Motion on Consent to Extend Discovery and Subsequent Periods has been served upon Louis Pirkey, Esq., and Fulbright & Jaworski L.L.P., 600 Congress Avenue, Suite 2400, Austin, Texas 78701, by first class mail, postage prepaid, on May 28, 2003.



Peter E. Mulhern