

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

Power Measurement, Inc.)
and)
Power Measurement Ltd.)
Opposers,)
v.)
Silicon Energy Corp.)
Applicant)

Opposition No. 91125,727

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

MOTION TO EXTEND TIME ON CONSENT

This is a Motion to Extend Time On Consent on the basis of settlement. The parties desire more time to finalize the wording with respect to a particular concept of the settlement. Subsequent to their last Motion to Extend Time On Consent, the parties have had settlement communications in writing and by telephone on an ongoing basis. During what the parties thought was the final stages of settlement, Opposers were acquired by a large, international company. While this has not deterred the parties' goal of settling pursuant to the same general terms, it has resulted in the need for additional time for Opposers' counsel to clarify the situation and seek authorizations from additional persons. It has also resulted in the need for further communication with Applicant's counsel, which has been ongoing.

In order to finalize the settlement, the parties, through their counsel, jointly request that the testimony periods set in the communication of the Trademark Trial and Appeal Board mailed August 24, 2005 be extended by sixty (60) days (except where the 60th day is on a weekend or federal holiday, in which case to the first business day following said weekend or federal holiday), so that the new dates will be as follows:

Discovery period:

Closed



Mark: EEM SUITE
Serial No.: 76/118,728
Page 2

30-day testimony period for party in
position of plaintiff to close: November 28, 2005

30 -day testimony period for party in
position of defendant to close: January 27, 2006

15-day rebuttal testimony period for
plaintiff to close: March 13, 2006

REMARKS

This Motion to Extend Time on Consent is requested for the parties to attempt to finalize settlement, which has been complicated somewhat by Opposers' acquisition. This request was consented to September 8, 2005, between Jane Shay Wald, Counsel for Opposers, and Grace Han Stanton, Counsel for Applicant.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: September 8, 2005

By: 

Jane Shay Wald
Counsel for Opposers

1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067
Ph.: (310) 277-1010
Fax: (310) 203-7199

CERTIFICATE OF MAILING

The undersigned hereby certifies that a copy of the foregoing Motion to Extend Time on Consent is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, this 8th day of September, 2005.

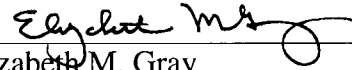
By: 

Elizabeth M. Gray

Mark: EEM SUITE
Serial No.: 76/118,728
Page 3

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the foregoing Motion to Extend Time on Consent was served this 8th day of September, 2005, by first-class mail, postage prepaid upon Counsel for Applicant, addressed as follows: Grace Han Stanton, Esq., Perkins Coie LLP, 1201 Third Avenue, Suite 4000, Seattle, Washington 98101-3099.

By: 
Elizabeth M. Gray