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

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DaimlerChrysler AG, :

Opposer, :

v. : Opposition No. 91151713

CASUAL DINING, INC. :

Applicant. : 02-26-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

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MOTION ON CONSENT TO EXTEND DISCOVERY DUE DATES
AND DISCOVERY AND TESTIMONY PERIODS

Opposer hereby moves, with the consent of Applicant, and subject to the approval of the Trademark Trial and Appeal Board, for an Order extending as follows, the times set forth below:

(1) Opposer's time to respond or object to Applicant's First Sets of Interrogatories and Requests for Production of Documents shall be extended to April 22, 2003.

(2) Opposer's time to respond or object to Applicant's First Requests for Admissions shall be extended to April 22, 2003.

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(3) Applicant's time to respond or object to Opposer's First Sets of Interrogatories and Requests for Production of Documents shall be extended to May 6, 2003.

(4) The closing dates of the discovery and testimony periods shall be extended to the following dates:

The period for discovery to close: August 6, 2003

Testimony period for party in position of plaintiff to close (opening thirty days prior thereto): November 4, 2003

Testimony period for party in position of defendant to close (opening thirty days prior thereto): January 3, 2004

Rebuttal testimony period to close (opening fifteen days prior thereto): February 22, 2004

The parties are in the process of responding to the comprehensive discovery requests served upon them, and Opposer's counsel is dealing with sources of information in the United States and abroad. This motion is not being made for the purposes of delay, and it has been consented to by Applicant's attorney,

N. Elton Dry, Esq., Dry & Tassin, L.L.P.

VON MALTITZ, DERENBERG, KUNIN,
JANSSEN & GIORDANO

February 21, 2003

By 

V. T. Giordano
60 East 42nd Street
New York, NY 10165
Telephone: (212) 661-1400
Attorneys for Opposer

CERTIFICATE OF SERVICE

A copy of the foregoing Motion On Consent is being forwarded by First Class Mail this ~~22nd~~ day of February, 2003 to Applicant's attorney, N. Elton Dry, Esq., Dry & Tassin, L.L.P., 2925 Briarpark Drive, Suite 930, Houston, Texas 77042.


for von Maltitz, Derenberg,
Kunin, Janssen & Giordano

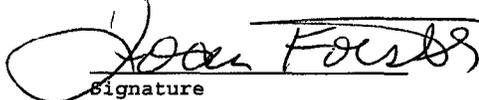
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, BOX TTAB/NO FEE on the date shown below:

Joan Forster
Typed Name


Signature

February 22, 2003
Date