

TTAB

Date of Deposit September 10, 2002. I hereby certify that this Consented Motion to Extend the Time to File Answer is being deposited with the United States Postal Service, First Class Mail, addressed to The Commissioner for Trademarks, BOX TTAB – NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

  
Stacy L. Taylor



09-16-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #61

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

MERCK & CO., INC.	)	Opposition
	)	No. 91151768
Opposer,	)	
	)	
v.	)	SN 78/071517
	)	Mark: SICOR
SICOR, INC.,	)	
	)	
Applicant.	)	

02 SEP 20 AM 12:49  
TRADEMARK TRIAL AND  
APPEAL BOARD

CONSENTED MOTION TO EXTEND THE TIME TO FILE ANSWER

The Commissioner for Trademarks  
BOX TTAB – NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Dear Sir or Madam:

The Notice of Opposition for this matter was mailed by the U.S. Patent and Trademark Office on June 5, 2002. Therefore, applicant SICOR, Inc.'s answer to this opposition was to have been filed by July 15, 2002. However, the parties to this opposition, Merck & Co., Inc. and SICOR, Inc. previously agreed and stipulated that applicant SICOR, Inc. shall be entitled to an extension of sixty (60) days up to, and including, September 13, 2002 to answer or otherwise



respond to this opposition. Deborah Greene, counsel for the opposer Merck & Co., Inc., consented to this extension by telephone on June 10, 2002.

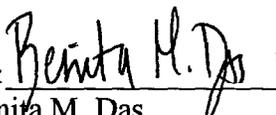
Additionally, the parties to this opposition have agreed and stipulated that applicant SICOR, Inc. shall be entitled to an extension of an additional sixty (60) days **up to, and including, November 12, 2002** to answer or otherwise respond to this opposition. Deborah Greene, counsel for the opposer Merck & Co., Inc., consented to this extension by telephone on September 10, 2002.

Applicant has sought the additional time to enable it to further examine the issues surrounding the opposition and to pursue an amicable settlement of this opposition. This Consented Motion to Extend the Time to File Answer is made in good faith and not for the purpose of unnecessary delay, and it is respectfully requested that the stipulated extension be approved.

This Motion is submitted in triplicate as required by 37 C.F.R. Sections 2.102(d) and 2.121(d).

Dated: September 10, 2002

Respectfully submitted,  
SICOR, INC.

By:   
Benita M. Das  
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Opposition No. 91151768

PROOF OF SERVICE BY MAIL

I, Stacy L. Taylor, the undersigned, hereby certify and declare under penalty of perjury that the following statements are true and correct:

1. I am over the age of 18 years and am not a party to the within cause.

I am employed by Pillsbury Winthrop LLP in San Francisco, CA.

2. My business address is 50 Fremont Street, San Francisco, CA 94105-2228. My mailing address is P.O. Box 7880, San Francisco, CA 94120-7880.

3. On September 10, 2002, I served a true copy of the attached documents titled exactly (1) CONSENTED MOTION TO EXTEND THE TIME TO FILE ANSWER, by placing it in an addressed and sealed envelope and depositing it in the United States mail, first-class postage fully prepaid, to the following:

Debra A. Shelinsky Greene  
Merck & Co, Inc.  
P.O. Box 100  
Whitehouse Station, NJ 08889-0100

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of September, 2002, at San Francisco, CA.

  
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Stacy L. Taylor