

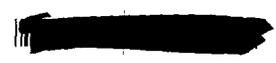
TTAB

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On: Mar. 3, 2003

By: Carol S. Cox

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



ECOLAB, INC., )  
 )  
Opposer, )  
 )  
vs. )  
 )  
ECOTECH, INC., )  
 )  
Applicant. )

03-05-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #30

Opposition No. 91154722

Mark: ECOPREP

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TRADEMARK TRIAL AND APPEAL BOARD

**CONSENTED MOTION TO EXTEND TIME TO ANSWER  
NOTICE OF OPPOSITION**

Applicant, Ecotech, Inc., with the consent of Opposer, Ecolab, Inc., through counsel and pursuant to Federal Rule of Civil Procedure 6(b) and TBMP § 509.02, moves to extend the time in which to answer the Notice of Opposition by thirty (30) days to and including April 7, 2003. Applicant further moves to extend the discovery period by thirty (30) days and to reset the testimony periods as set forth below:

THE PERIOD FOR DISCOVERY TO CLOSE	September 14, 2003
Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)	December 13, 2003
Testimony period for party in position of defendant to close (opening thirty days prior thereto)	February 11, 2004
Rebuttal testimony period to close (opening fifteen days prior thereto)	March 27, 2004

*a*

In support of this Motion, Applicant shows unto the Board that additional time is needed to consider the issues raised in the Notice of Opposition and to attempt to negotiate a possible settlement of the case. Counsel for Applicant has obtained the consent of counsel for Opposer, Stephen R. Baird, in seeking this request.

This Motion is made before the expiration of the period allowed to answer the Notice of Opposition. For good cause shown, and with the consent of Opposer, Applicant respectfully requests that the Board extend the time for answering and the subsequent discovery and testimony periods by thirty (30) days.

This the 3<sup>RD</sup> day of March, 2003.



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**CERTIFICATE OF SERVICE**

I, Julia C. Archer, hereby certify that on this date I served a copy of the foregoing  
**CONSENTED MOTION TO EXTEND TIME TO ANSWER NOTICE OF  
OPPOSITION** upon Opposer, by depositing a copy thereof in the United States mail,  
first class, postage prepaid and addressed as follows:

Mr. Stephen R. Baird  
Fish & Richardson, P.C.  
60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402

This the 3<sup>RD</sup> day of March, 2003.



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