

TTAB

05-15-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #40

TTAB/NO FEE

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

 EXOGEN INC., :
 :
 Opposer, :
 :
 v. : Opposition No. 91155846
 :
 JOHNSON & JOHNSON, :
 :
 _____ Applicant. :

CONSENT MOTION TO EXTEND
TIME TO FILE AN ANSWER

The Applicant, with the consent of the Opposer, hereby moves for an extension of sixty (60) days beyond May 18, 2003, or until July 17, 2003, within which to answer the opposition in the above-captioned proceeding.

The parties are engaged in settlement negotiations. The foregoing extension is requested to allow the parties an opportunity to continue their efforts to reach an amicable settlement of their controversy, without the necessity of an *inter partes* proceeding, with the attendant burdens on the parties and the Board.

Counsel for the opposer, Alan Fonoroff, consented to this request in a telephone conference on May 14, 2003.

Respectfully submitted,

JOHNSON & JOHNSON

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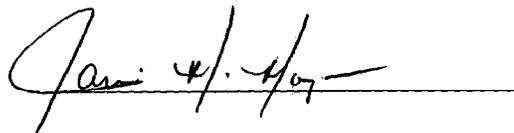
FILED BY COURIER
 Date: May 15, 2003
 By: [Signature]
 31137.110312
 DC3801081

R.P.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing CONSENT MOTION TO EXTEND TIME TO FILE AN ANSWER was served on counsel for the Opposer, at the following address of record, by first class mail, postage prepaid, this 15th day of May, 2003:

Alan S. Fonoroff, Esq.
Kilpatrick & Stockton LLP
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Atlanta, Georgia 30309-4530

A handwritten signature in cursive script, appearing to read "Alan S. Fonoroff", is written over a horizontal line.