

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



06-08-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #7



FMR CORP.,)	
Opposer,)	Opposition No. 91156160
)	
v.)	Mark: FIDELITY NATIONAL
)	FINANCIAL & Design
FIDELITY NATIONAL FINANCIAL, INC.,)	
Applicant.)	SN 76/180,913

MOTION, WITH CONSENT, FOR EXTENSION OF TIME TO FILE ANSWER OR OTHERWISE PLEAD IN RESPONSE TO NOTICE OF OPPOSITION, AND FOR EXTENSION OF DISCOVERY AND TESTIMONY SCHEDULE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Box: TTAB

Sir:

Applicant, Fidelity National Financial, Inc., with the consent of Opposer, FMR Corp., requests a thirty-day extension of time, up to and including **July 24, 2004**, in which to answer or otherwise plead in response to the above-captioned opposition, and also for a thirty-day extension of the discovery and testimony schedule. The proposed revised schedule is as follows:

Discovery Period to close:	October 3, 2004
30-day testimony period for party in position of plaintiff to close:	January 1, 2005
30-day testimony period for party in position of defendant to close:	March 2, 2005
15-day rebuttal testimony period for plaintiff to close:	April 16, 2005

The parties believe they have made substantial progress in their settlement discussions and are hopeful that the matter will be concluded shortly. The extension of time is needed to

facilitate completion of the settlement discussions. Counsel for Opposer, I. Stephen Samuels, consented to this extension of time in an email to the undersigned on June 7, 2004. This extension of time is thus not presented for purposes of delay, and it is respectfully requested that it be granted.

The original and two copies of this motion are filed herewith.

Respectfully submitted,

BANNER & WITCOFF, LTD.
Attorneys for Applicant

Date: _____

6/8/04

By: _____



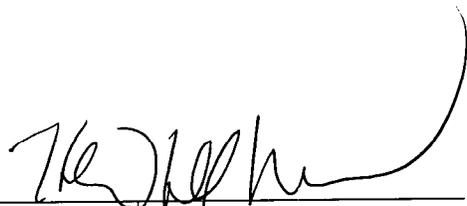
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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of June, 2004, a copy of the foregoing MOTION, WITH CONSENT, FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD IN RESPONSE TO NOTICE OF OPPOSITION, AND FOR EXTENSION OF THE DISCOVERY AND TESTIMONY SCHEDULE, was served on counsel for Opposer by facsimile and by first class mail, postage prepaid, addressed as follows:

I. Stephen Samuels, Esq.
Samuels, Gauthier & Stevens LLP
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110-2898
(Fax) 617-426-2275



Helen Hill Minsker