

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

_____)
 FMR CORP.,)
 Opposer,)
 v.)
 FIDELITY NATIONAL FINANCIAL, INC.,)
 Applicant.)
 _____)



Opposition No. 91156160
 Mark: FIDELITY NATIONAL
 FINANCIAL & Design
 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

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 September 22, 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:	December 2, 2004
30-day testimony period for party in position of plaintiff to close:	March 2, 2005
30-day testimony period for party in position of defendant to close:	May 1, 2005
15-day rebuttal testimony period for plaintiff to close:	June 15, 2005



08-19-2004

Applicant is awaiting Opposer's comments on the proposed settlement agreement. The extension of time is needed to facilitate completion of the settlement process. Counsel for Opposer, I. Stephen Samuels, consented to this extension of time in a telephone conference with the undersigned on August 16, 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: 8/19/2004

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of August, 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 email and by first class mail, postage prepaid, addressed as follows:

I. Stephen Samuels, Esq.
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Helen Hill Minsker