Attorney Docket: 6178.00006

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

FMR CORP., Opposer/Plaintiff,	Opposition No. 91156160
v.	Mark: FIDELITY NATIONAL FINANCIAL & Design
FIDELITY NATIONAL FINANCIAL, INC., And FNF INTELLECTUAL PROPERTY HOLDINGS, INC., Applicant/Defendants.	SN 76/180,913

MOTION, WITH CONSENT, FOR EXTENSION OF TIME TO FILE ANSWER TO THE NOTICE OF OPPOSITION AND FOR EXTENSION OF DISCOVERY AND TESTIMONY DATES

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Attn.: TRADEMARK TRIAL & APPEAL BOARD

Sir:

Applicant/Defendants, with the consent of Opposer/Plaintiff, herewith move for a ninety (90) day extension of time to file their answer to the Notice of Opposition in the above-identified proceeding, and also move for a ninety (90) day extension of the discovery and testimony schedule. The proposed revised schedule is as follows:

Applicant's Answer due:	November 6, 2006
Discovery Period to close:	January 5, 2007
30-day testimony period for party in position of plaintiff to close:	April 5, 2007

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30-day testimony period for party in position of defendant to close:	June 4, 2007
15-day rebuttal testimony period for plaintiff to close:	July 19, 2007

Counsel for Opposer, I. Stephen Samuels, consented to the extension of time in an email to Applicant/Defendant's counsel on August 1, 2006. The parties have prepared a settlement agreement and are in the process of having it executed. This motion thus is not presented for purposes of delay, and it is respectfully requested that it be granted.

Respectfully submitted,

BANNER & WITCOFF, LTD.
Attorneys for Applicant/Defendants

Date: 8/2/06

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of August 2006 a copy of the foregoing **MOTION, WITH CONSENT, FOR EXTENSION OF TIME TO FILE ANSWER TO THE NOTICE OF OPPOSITION** 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