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



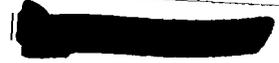
FMR CORP.,  
 Opposer,  
 v.  
 FIDELITY NATIONAL FINANCIAL, INC.,  
 Applicant.

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



07-08-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Sir:

Applicant, Fidelity National Financial, Inc., with the consent of Opposer, FMR Corp., requests a sixty-day extension of time, up to and including **September 8, 2003**, in which to answer or otherwise plead in response to the above-captioned opposition, and also for a sixty-day extension of the discovery and testimony schedule. The proposed revised schedule is as follows:

Applicant's Answer due:	September 8, 2003
Discovery Period to close:	February 15, 2004
30-day testimony period for party in position of plaintiff to close:	May 15, 2004
30-day testimony period for party in position of defendant to close:	July 14, 2004
15-day rebuttal testimony period for plaintiff to close:	August 28, 2004

The parties are discussing settlement, and the extension of time is needed to facilitate settlement discussions. Counsel for Opposer, I. Stephen Samuels, consented to this extension of time in an email to the undersigned on July 3, 2003. 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:

July 8, 2003

By:



Helen Hill Minsker  
1001 G Street, NW  
Suite 1100  
Washington, DC 20001-4597  
Telephone: (202) 824-3285

Marc S. Cooperman  
Banner & Witcoff, Ltd.  
10 South Wacker Drive, Suite 3000  
Chicago, Illinois 60606-7407  
Telephone: (312) 463-5497

CERTIFICATE OF SERVICE

I hereby certify that on this 8<sup>th</sup> day of July, 2003, 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

  
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Helen Hill Minsker