

TTAB



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

FMR CORP., Opposer,)	Opposition No. 91156160
v.)	Mark: FIDELITY NATIONAL
FIDELITY NATIONAL FINANCIAL, INC., Applicant)	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



11-03-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

Sir:

Applicant, Fidelity National Financial, Inc., with the consent of Opposer, FMR Corp., requests a sixty-day extension of time, up to and including **January 6, 2004**, 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:	January 6, 2004
Discovery Period to close:	June 14, 2004
30-day testimony period for party in position of plaintiff to close:	September 12, 2004
30-day testimony period for party in position of defendant to close:	November 11, 2004
15-day rebuttal testimony period for plaintiff to close:	December 26, 2004

The parties are continuing to exchange settlement proposals, and the extension of time is needed to further the settlement discussions. Counsel for Opposer, I. Stephen Samuels, consented to this extension of time in an email to the undersigned on October 20, 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: _____

11/3/03

By: _____



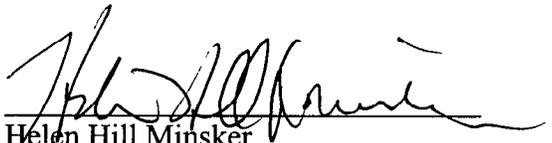
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of November 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


Helen Hill Minsker