

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

09/08/2003TAB

\_\_\_\_\_  
ICYT VISIONARY BIOSCIENCE, INC. )  
(by statutory name change from )  
Cytometry Services, Inc.) )  
 )  
Opposer, )  
 )  
v. )  
 )  
COMPUCYTE CORPORATION )  
 )  
Applicant. )  
\_\_\_\_\_ )



09-03-2003

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

Opposition No. 91156900

SECOND ASSENTED-TO MOTION TO EXTEND TIME TO ANSWER

Pursuant to 37 C.F.R. §§ 2.121(d) and 2.127(a), and TBMP § 502.02, Applicant, CompuCyte Corporation ("Applicant") respectfully moves to extend the time in which it must answer, move, or otherwise respond to the Notice of Opposition in these proceedings until September 30, 2003. The reason for this request is that the parties are currently engaged in settlement discussions and the parties agree that additional time is required to fully address that matter.

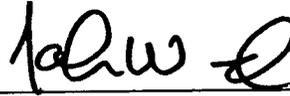
Matt C. Deering, Esq., counsel for Opposer ICYT Visionary Bioscience, Inc., assented to this request in an email dated August 26, 2003, and is being served with a copy of this request.

This motion is being filed in triplicate, as required by 37 C.F.R. § 2.121(d) and TBMP § 502.02.

09/08/2003 TTAB

Dated: Boston, Massachusetts  
August 29, 2003

COMPUCYTE CORPORATION  
by its attorneys,



Erik P. Belt  
John F. Ward  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
(617) 443-9292

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, Box TTAB, on the above date.



John F. Ward

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Second Assented-to Motion To Extend time to Answer upon Opposer on the above date by sending a true copy to Opposer's attorney of record, Matt C. Deering, Esq, Meyer Capel, a Professional Corporation, 206 West Church Street, Post Office Box 6750, Champaign, Illinois 61826-6750, by first-class mail.



John F. Ward

TTAB

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09-03-2003

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

August 29, 2003

**VIA FIRST CLASS MAIL**

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514  
Box TTAB

Re Second Assented-To Motion To Extend Time To Answer  
Opposer: ICYT Visionary Bioscience, Inc.  
Applicant: CompuCyte Corporation  
Mark: ICYTE  
Serial No: 78/156,012  
Opposition No: 9115690  
Our File: 2490/502

Dear Sir/Madam:

Enclosed for filing in connection with the above-referenced trademark opposition proceeding, please find Second Assented To Motion To Extend Time To Answer. Pursuant to 37 C.F.R. § 2.121(d) and TTAB § 502.02, two photocopies of the assented to motion are also enclosed.

Thank you for your attention to this matter.

Sincerely,

John F. Ward

JFW/cth

Enclosures

cc: Erik P. Belt, Esq.  
Matt C. Deering, Esq.