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09-17-2003

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

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

9  
10 BIOGEN, INC.,  
11  
Opposer,  
12 v.  
13 VIAGEN, INC.,  
14 Applicant.

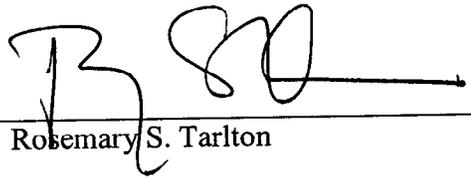
Opposition No. 91157307

**STIPLULATED MOTION TO  
EXTEND TIME TO ANSWER OR  
OTHERWISE RESPOND**

15  
16 Applicant requests a thirty-day extension of time until October 20, 2003 to answer or  
17 otherwise respond to the Notice of Opposition in the above-referenced proceeding. The parties  
18 are engaged in settlement negotiations, and the additional time is needed to explore that  
19 possibility. Roberta Jacobs-Meadway, attorney for Opposer, agreed to this extension during a  
20 telephone call with the undersigned on September 15, 2003.

21 Dated: September 17, 2003

ROSEMARY S. TARLTON  
MORRISON & FOERSTER LLP

22  
23 By:   
24 Rosemary S. Tarlton  
25 Attorneys for Applicant

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10/04/2003TTAB

**PROOF OF SERVICE BY MAIL**

I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on September 17, 2003, I served a copy of:

**STIPULATED MOTION TO EXTEND TIME TO ANSWER  
OR OTHERWISE RESPOND**

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105, in accordance with Morrison & Foerster's ordinary business practices:

**Roberta Jacobs-Meadway  
Ballard Spahr Andrews & Ingersoll, LLP  
1735 Market Street, 51st Floor  
Philadelphia, PA 19103**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at San Francisco, California, this 17th day of September, 2003.

\_\_\_\_\_  
Lorna Simpson  
(typed)

  
\_\_\_\_\_  
(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BIOGEN, INC.,

Opposer,

v.

VIAGEN, INC.,

Applicant.

Opposition No. 91157307

**STIPLULATED MOTION TO  
EXTEND TIME TO ANSWER OR  
OTHERWISE RESPOND**

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

BOX TTAB NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

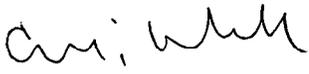
Dear Commissioner:

Express Mail Label No.: EV254104106US

Date of Deposit: September 17, 2003

I hereby certify that the attached Stipulated Motion to Extend Time to Answer or Otherwise Respond; Proof of Service by Mail and receipt verification postcard are being deposited with the United States Postal Service Express Mail delivery as "Express Mail Post Office to Addressee" service under 37 C.F.R § 1.10 on the date indicated above, and is addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

Respectfully submitted,

By:   
Chase Mitchell

Attorneys for Applicant

09-17  
U.S. Patent & TMO/TM Mail Room

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

Opposition No. 9115730

**STIPULATED MOTION TO  
EXTEND TIME TO  
OTHERWISE RESPOND**

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BIOGEN, INC.,  
Opposer,

v.  
VIAGEN, INC.,  
Applicant.

on the folk  
for collection.  
California, 941  
**Roberta Jacobs-  
Ballard Spahr An  
1735 Market Street  
Philadelphia, PA 19**

I declare under p  
is true and correct.  
Executed at San Fran  
  
Lorna Simpson  
(typed)

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**ROSEMARY S  
MORRISON &**

By:   
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sf-1568981

Stipulated Motion to Extend T

