

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

In the Matter of Trademark Appl. No.: 76/346,860
Mark: Miscellaneous Design (blue covered battery)
Published: April 1, 2003

EXIDE TECHNOLOGIES,)	
Opposer,)	
)	
v.)	Opposition No. 91159935
)	
JOHNSON CONTROLS BATTERY)	
GROUP, INC.,)	
Applicant.)	

TTAB / NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3515

CONSENTED MOTION FOR EXTENSION OF ALL DEADLINES

Applicant moves, with the consent of Opposer's counsel, Roger P. Furey, via email on July 15, 2004, for a thirty (30) day extension of all deadlines associated with this case. All pleading, discovery, and trial dates would be reset as follows:

Answer to Notice of Opposition	September 3, 2004
Discovery Period to Close:	February 10, 2005
Testimony Period for Party in position of Plaintiff to Close: (opening thirty days prior thereto)	May 11, 2005
Testimony Period for Party in position of Defendant to close: (opening thirty days prior to)	July 10, 2005
Rebuttal Testimony Period To Close: (opening fifteen days prior thereto)	August 24, 2005



07-19-2004

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

It is believed that the granting of this motion would be in the best interests of the parties and of the Patent and Trademark Office. The parties require more time to review their positions and consider the prospects for settlement of this opposition. The foregoing motion is made in good faith and not for the purpose of delay, and is being submitted in *triplicate* in accordance with Trademark Rules

2.120(a) and 2.121(d). Please direct any questions regarding this paper, as well as any future inquiries or correspondence regarding this proceeding, to the undersigned at the address and telephone number below.

Respectfully submitted,
FOLEY & LARDNER LLP

Dated: July 16, 2004

By: [Signature]
Mark J. DiIiberti
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Attorneys for Applicant

CERTIFICATE OF SERVICE

CERTIFICATE OF MAILING

I, Ardis J. Sitar hereby certify that a copy of the Applicant's CONSENTED MOTION FOR EXTENSION OF ALL DEADLINES was deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to

I hereby certify that this document, pursuant to 37 CFR § 1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on this

**ROGER P. FUREY, ESQ.
KATTEN MUCHIN ZAVIS ROSENMAN
1025 THOMAS JEFFERSON DRIVE, N.W.
SUITE 700, EAST LOBBY
WASHINGTON, DC 20007**

16 day of July, 2004
FOLEY & LARDNER LLP

this 16 day of July, 2004
FOLEY & LARDNER LLP

By: Ardis J. Sitar

By: Ardis J. Sitar