

ESTTA Tracking number: **ESTTA280313**

Filing date: **04/27/2009**

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

Proceeding	91172350
Party	Plaintiff Exxon Mobil Corporation
Correspondence Address	WILLIAM G. BARBER PIRKEY BARBER LLP 600 CONGRESS AVENUE, SUITE 2120 AUSTIN, TX 78701 UNITED STATES bbarber@pirkeybarber.com, eolson@pirkeybarber.com, wlarson@pirkeybarber.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	William G. Barber
Filer's e-mail	bbarber@pirkeybarber.com, eolson@pirkeybarber.com, tmcentral@pirkeybarber.com
Signature	/WGB/
Date	04/27/2009
Attachments	agreed mtn-1.pdf (2 pages)(156987 bytes)

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

EXXON MOBIL CORPORATION,

Opposer,

v.

CADENA COMERCIAL OXXO, S.A. DE C.V.,

Applicant.

§
§
§
§
§
§
§
§
§
§

Opposition No. 91172350

**AGREED MOTION TO EXTEND DEADLINE FOR
DISCOVERY RESPONSES AND OTHER TRIAL DATES**

Opposer Exxon Mobil Corporation request that all deadlines in this case be extended by an additional 30 days, so that the parties may finalize and execute a written settlement agreement.

During the time period since the parties last requested an extension of time (March 24, 2009), they have continued to make substantial progress toward settling this matter. The parties have reached a settlement in principle, and continue to diligently exchange and review proposed revisions to a detailed written settlement agreement. The parties believe they are close to finalizing the terms of the written agreement.

On April 22, 2004, Applicant's counsel Lori N. Boatright stipulated to this requested extension and authorized the filing of this agreed motion on Applicant's behalf.

Under these circumstances, the parties submit that good cause exists for this request, and that an extension would be in the best interest of all concerned, including the Board. Upon granting of this motion, the following time periods shall apply:

The period for discovery

Closed

Deadline for both parties to respond
to outstanding discovery requests

May 27, 2009

Testimony period for party
in position of plaintiff to close
(opening 30 days prior thereto)

July 21, 2009

Testimony period for party
in position of defendant to close
(opening 30 days prior thereto)

September 16, 2009

Rebuttal testimony period to close
(opening 15 days prior thereto)

November 3, 2009

Respectfully submitted,



Louis T. Pirkey
William G. Barber
Pirkey Barber LLP
600 Congress Ave., Suite 2120
Austin, Texas 78701
Tel: 512.322.5200

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AGREED MOTION TO EXTEND DEADLINES FOR DISCOVERY RESPONSES AND OTHER TRIAL DATES was served upon Applicant's counsel Lori N. Boatright, Blakely, Sokoloff, Taylor & Zafman, 12400 Wilshire Blvd., Seventh Floor, Los Angeles, CA 90025, by first class mail with postage fully prepaid thereon, on April 27, 2009.

