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

Proceeding	91173105
Party	Defendant Michael Dalton
Correspondence Address	Michael Dalton P.O. Box 18137 670 Northland Blvd. Cincinnati, OH 45218-0137 UNITED STATES DALTONME@hotmail.com
Submission	Other Motions/Papers
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Date	01/04/2010
Attachments	BeHeard.pdf (2 pages)(824030 bytes)

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

Honda Motor Co. LTD	:	:
Opposer	:	:
Vs.	:	Opposition No. 91173105
	:	
Michael Dalton	:	:
Applicant	:	

MOTION TO BE HEARD ON OPPOSER'S REQUEST FOR JUDICIAL NOTICE

OR ALTERNATIVE

**MOTION TO EXPAND APPLICANTS PAGE LIMIT AND RESET REPLY BRIEF AND
REBUTTAL BRIEF**

Now comes, Michael Dalton, defendant – applicant and hereby moves the Board pursuant to the Federal Rules of Evidence 201(e)¹ and asks to be heard on Opposer's Notice of Reliance and request for Judicial Notice and additionally asks the board to reset the remaining due dates upon completion of said hearing.

¹ **Federal Rules of Evidence (e) Opportunity to be heard.**

A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior notification, the request may be made after judicial notice has been taken.

The Applicant has diligently tried to maintain the schedule in this matter, however, because the Opposer has requested an alleged Judicial Notice, at the last hour, the page allotment does do permit the arguments for the points on Judicial Notice and Applicants affirmative defense and the merits.

Since the Judicial Notice was a surprise and Applicant has not had an opportunity to be heard the Applicant request that opportunity, else in the alternative a motion to extend Applicant's page limit by an estimated 10 pages and extend Applicants time for reply brief by an additional 10 days.

Respectfully submitted,



Michael Dalton, Applicant pro se

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Certificate of Service

I, Michael Dalton, hereby certify that this Stipulated Motion For Time Extension has been served by electronic email upon Opposor's attorney Dyan Finguerra-DuCharme, dyan.finguerraiducharme@wilmerhale.com; and standard U.S. mail upon Dyan Finguerra-DuCharme at Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Ave, New York, NY 10022 this 4th day of January, 2010.



Michael Dalton