

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

In re: Application Ser. No. 75697908
Mark: Cubita
Published: April 17, 2007

Corporacion Cimex S.A.,

Opposition No. 91178943

Opposer,

v.

**CONSENT MOTION FOR FURTHER
EXTENSION OF TIME TO RESPOND
TO NOTICE OF OPPOSITION**

DM Enterprises & Distributors, Inc.

Applicant.

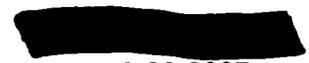
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Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

The Applicant, DM ENTERPRISES & DISTRIBUTORS, INC. ("DM Enterprises"), by and through undersigned counsel, hereby moves for a further extension of seven (7) days, through October 31, 2007, in which to respond to the Notice of Opposition filed in this matter by CORPORACION CIMEX S.A. ("Cimex"), and submits as follows:

1. DM Enterprises moves for this additional brief extension of time so that undersigned counsel can complete its investigation and preparation of the response to Cimex's Notice of Opposition.

2. This motion for extension is not made for the purpose of delay, and will not prejudice Cimex, as DM Enterprises submits that it has meritorious defenses to the Notice of



10-26-2007

Opposition.

3. DM Enterprises has conferred with counsel for Cimex, and counsel has consented to the requested seven-day extension.

WHEREFORE, DM Enterprises moves for an extension of time, up through and including October 31, 2007, to respond to Cimex's Notice of Opposition.

Dated: October 24, 2007

Respectfully submitted,

BECKER & POLIAKOFF, P.A.

By: 

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Attorneys for Applicant DM Enterprises and
Distributors, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on October ^{24th}, 2007, a copy of the foregoing was served by U.S. Mail, postage prepaid, on David B. Goldstein, Esq., of Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C., 111 Broadway, 11th Floor, New York, New York 10006-1901.



Manjit S. Gill