

ESTTA Tracking number: **ESTTA412962**

Filing date: **06/06/2011**

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

| | |
|------------------------|---|
| Proceeding | 91192781 |
| Party | Defendant Biogen Idec MA Inc. and Cardiokine Biopharma, LLC |
| Correspondence Address | CHRISTINA M LICURSI WOLF GREENFIELD AND SAKCS PC 600 ATLANTIC AVENUE BOSTON, MA 02210 UNITED STATES cxltrademarks@wolfgreenfield.com, drwtrademarks@wolfgreenfield.com |
| Submission | Stipulated/Consent Motion to Extend |
| Filer's Name | Christina M. Licursi |
| Filer's e-mail | drwtrademarks@wolfgreenfield.com, cxltrademarks@wolfgreenfield.com |
| Signature | /cml/ |
| Date | 06/06/2011 |
| Attachments | Motion upon Consent to Extend.PDF (3 pages)(69794 bytes) |

Attorney's Docket No.: C1346.50000US00

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

Opposer: Bayer HealthCare, LLC
Applicant: Biogen IDEC MA Inc.
Serial No.: 77/701134
Filing Date:
Mark: LIXALEV
Published: July 28, 2009

| | | |
|---------------------------|---|----------------------------------|
| Bayer HealthCare, LLC |) | Opposition No. 91192781 |
| |) | |
| Opposer, |) | Application Serial No. 77/701134 |
| |) | Mark: LIXALEV |
| |) | |
| v. |) | |
| |) | |
| Biogen Idec MA Inc. and |) | |
| Cardiokine Biopharma, LLC |) | |
| |) | |
| Applicants |) | |
| |) | |

**MOTION UPON CONSENT TO EXTEND THE SUSPENSION PERIOD FOR THE
LIMITED DISCOVERY OF DESIGNATED EXPERT WITNESSES**

Applicants Biogen Idec MA Inc. and Cardiokine Biopharma, LLC, with the consent of Opposer, Bayer Healthcare, LLC ("Opposer"), hereby move the Board to extend the suspension period for the opportunity to take discovery limited to expert witnesses in the above-captioned opposition for a period of thirty (30) days until July 30, 2011.

Counsel for Opposer, Beth Goldman, agreed to this extension by e-mail on June 2, 2011.

WHEREFORE, the parties respectfully request the Board grant the extension of time requested above.

Respectfully submitted,
Biogen IDEC MA and
Cardiokine Biopharma, LLC

By: _____



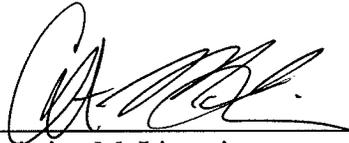
Christina M. Licursi
Douglas R. Wolf
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. 617-646-8000
Fax 617-646-8646
Attorneys for Applicants

Date: June 6, 2011
Docket No.: C1346.500000US00

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2011, I served a copy of
MOTION UPON CONSENT TO EXTEND THE SUSPENSION PERIOD FOR THE LIMITED
DISCOVERY OF DESIGNATED EXPERT WITNESSES
upon counsel for Opposer, by first-class mail, postage-prepaid, addressed to:

Beth M. Goldman
Chelseaa Bush
Orrick, Herrington & Sutcliffe LLP
The Orrick Building
405 Howard Street
San Francisco, CA 94105



Christina M. Licursi
Douglas R. Wolf
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Attorneys for Applicants

Attorney Docket: C1346.50000US00