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

Proceeding	91193173
Party	Defendant Galenica AG
Correspondence Address	LISA ADAMS NUTTER MCCLENNEN & FISH 155 SEAPORT BLVD. BOSTON, MA 02210-2604 UNITED STATES docket@nutter.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Lisa Adams
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Signature	/Lisa Adams/
Date	06/02/2010
Attachments	Third Request for Extension (6.2.10).pdf (3 pages)(76139 bytes)

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

In the matter of:

Application Serial No.: 79/058,308
Mark: VIFOR PHARMA
Filing Date: February 12, 2008
Publication Date: September 1, 2009

VIOPHARMA INCORPORATED,)	
)	
Opposer,)	Opposition No.: 91/193,173
)	
v.)	
)	
GALENICA AG,)	
)	
Applicant.)	
)	

**CONSENTED-TO REQUEST FOR EXTENSION OF TIME OF DISCOVERY AND
TRIAL DEADLINES**

Applicant Galenica AG (“Galenica”), through its authorized attorney, hereby requests that it be granted an additional 30-day extension of time within which to serve its Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and 37 CFR §2.120(a). This extension of the Initial Disclosure deadline necessitates a corresponding 30-day extension of the remainder of the discovery and trial deadlines applicable to both parties. In support of this request, Galenica states as follows:

1. The extensions requested herein will give Galenica and Opposer Viropharma Incorporated an opportunity to continue their discussions regarding a potential resolution of their dispute concerning the VIFOR PHARMA mark. The parties have been actively engaged in discussions since the first request for a thirty-day extension.

2. This request for an extension is made in good faith and not for the purpose of unnecessary delay.

3. This is the third extension of time requested in this action.

4. Opposer's attorney, Anita B. Polott of Morgan, Lewis & Bockius LLP, Washington, D.C, assented to these extensions by electronic mail on June 2, 2010.

5. Granting the requested extension would extend the deadlines as follows:

Initial Disclosures Due	July 6, 2010
Expert Disclosures Due	November 1, 2010
Discovery Closes	December 1, 2010
Plaintiff's Pretrial Disclosures	January 14, 2010
Plaintiff's 30-day Trial Period Ends	February 28, 2011
Defendant's Pretrial Disclosures	March 10, 2011
Defendant's 30-day Trial Period Ends	April 29, 2011
Plaintiff's Rebuttal Disclosures	May 13, 2011
Plaintiff's 15-day Rebuttal Period Ends	June 15, 2011

For the foregoing reasons, Galenica requests that its request for a 30-day extension of the discovery and trial deadlines be granted.

GALENICA AG,

By its attorneys,

Date: June 2, 2010



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CERTIFICATE OF SERVICE

I, Lisa Adams, certify that on June 2, 2010, I served a copy of the foregoing document by e-mail with a confirmation copy to be sent by First Class Mail to counsel for Opposer VIROPHARMA INCORPORATED:

Anita B. Polott
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Washington, D.C. 20004
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Lisa Adams / hbr
Lisa Adams

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