

440B

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

ARGUS HEALTH SYSTEMS, INC.)
)
Petitioner,)
)
v.)
)
BERGEN BRUNSWIG CORPORATION)
)
Respondent.)

[Redacted]
01-10-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #76

Cancellation No. 32,450

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202

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MOTION ON CONSENT FOR
EXTENSION OF TESTIMONY PERIODS

With the consent of Respondent, Petitioner hereby moves the Board for a two month extension of the testimony periods in the captioned proceeding. Upon grant of this Motion, the closing dates for the testimony periods will be as follows:

- Testimony period for party in position of plaintiff to close.....March 21, 2003
(opening thirty days prior thereto)
- Testimony period for party in position of defendant to close.....May 20, 2003
(opening thirty days prior thereto)
- Rebuttal period to close.....July 8, 2003
(opening fifteen days prior thereto)

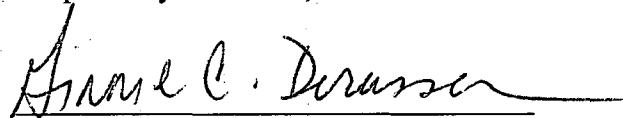
I hereby certify that this paper is being deposited with the U.S. Postal Service with sufficient postage as first class mail addressed to the Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on January 6, 2003.
Ginnie C. Derousseau
Ginnie C. Derousseau, P.O. Reg. No. 35,855

with all other dates to be reset accordingly. The parties have agreed to the extension of the above deadlines to give them additional time to review discovery and consider settlement before the opening of the testimony periods.

The extensions of time sought hereby were consented to by Morland C. Fischer, Esq., attorney for Respondent, in a telephone conversation with the undersigned on January 6, 2002.

This motion is submitted in triplicate pursuant to Trademark Rule 2.121(d).

Respectfully submitted,

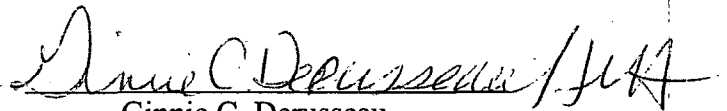


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Attorneys for Petitioner

Certificate of Service

I hereby certify that a copy of the foregoing Motion on Consent For Extension of Testimony Periods has been served by first class mail, postage prepaid, on Morland C. Fischer, Esq., 2030 Main Street, Suite 1050, Irvine, California 92614 this 6th day of January, 2003


Ginnie C. Derousseau