

ESTTA Tracking number: **ESTTA65020**

Filing date: **02/03/2006**

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

Proceeding	92041307
Party	Plaintiff Qiagen GmbH
Correspondence Address	Lorraine Linford Seed Intellectual Property Law Group PLLC 701 Fifth Avenue Ste 6300 Seattle, WA 98104-7092
Submission	Stipulated/Consent Motion to Extend
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Signature	/LL/
Date	02/03/2006
Attachments	SP-StipMotionExtensionTestPeriods.PDF ( 3 pages )

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

QIAGEN GmbH,	)	Cancellation No. 92/041,307
	)	
Petitioner,	)	Registration No. 2,108,028
	)	
v.	)	Mark: MDX
	)	
BIO-RAD LABORATORIES, INC.,	)	
	)	
Respondent.	)	Attorney Docket No. 770025.803
_____	)	

**STIPULATED MOTION FOR EXTENSION OF  
TESTIMONY PERIODS, AND STATUS REPORT RE  
SETTLEMENT**

Pursuant to stipulation, and subject to the approval of the Trademark Trial and Appeal Board, Petitioner QIAGEN GmbH and Respondent Bio-Rad Laboratories, Inc. hereby move the Board for an order extending the parties' testimony periods in this proceeding by sixty (60) days, as follows:

Petitioner's testimony period to close..... April 17, 2006  
(Opening 30 days prior thereto)

Applicant's testimony period to close ..... June 16, 2006  
(Opening 30 days prior thereto)

Rebuttal testimony period to close ..... July 31, 2006  
(Opening 15 days prior thereto)

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Pursuant to the Board's November 18, 2005 Order, the parties report that they have now reached a settlement in principle. They seek the requested extension to allow them time to finalize the terms of the settlement, and enter into a written agreement.

Respectfully submitted,

SEED IP Law Group PLLC

*February*  
Date: January 13, 2006



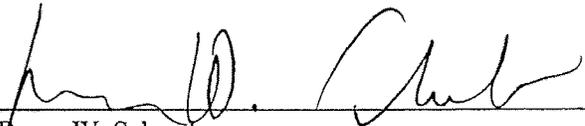
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Attorney for Petitioner

TOWNSEND & TOWNSEND & CREW LLP

*FEBRUARY*  
Date: ~~January~~ 2, 2006



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Bruce W. Schwab  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
Phone: (415) 576-0200  
Fax: (415) 576-0300

Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on this 3<sup>rd</sup> day of ~~January~~ <sup>February</sup>, 2006, the foregoing STIPULATED

MOTION FOR EXTENSION OF TESTIMONY PERIODS, AND STATUS REPORT RE SETTLEMENT

was served upon the Petitioner's counsel of record by United States first-class mail, postage prepaid, addressed as follows:

Bruce W. Schwab, Esq.  
TOWNSEND AND TOWNSEND AND CREW LLP  
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San Francisco, California 94111-3834



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Annette Baca