

12-19-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

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

In the matter of

InforMax, Inc.

Opposer,

v.

Informix Software, Inc.,

Applicant.

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Application Serial No. 76/081,486

Filed: June 30, 2000

Published: April 24, 2001

**FURTHER CONSENT REQUEST FOR EXTENSION OF TIME
TO FILE A NOTICE OF OPPOSITION**

InforMax, Inc. ("Opposer"), located at 7600 Wisconsin Avenue, Suite 1100, Bethesda, Maryland 20814, through its undersigned attorneys, respectfully requests that it be granted an additional sixty (60) day extension of time, to and including February 18, 2003, within which to file an Opposition to registration of the mark INFORMIX (Stylized), U.S. Application Serial No. 76/081,486, filed June 30, 2000, owned by Informix Software, Inc., and published for opposition in the Official Gazette on April 24, 2001. The period for the filing of an Opposition is at present set to expire December 21, 2002.

Opposer, Informax, Inc. was acquired by Invitrogen Corporation on December 9, 2002 and Informax, Inc. is a wholly owned subsidiary of Invitrogen Corporation. The parties are in continuing negotiation settlements of this and Opposition No. 120,995 and this additional time is requested to complete the same. Opposer and Applicant are also parties to Opposition No. 120,995, which involves Opposer's application to register the mark INFORMAX, U.S. Application Serial No. 75/891,644. The parties are attempting to reach possible settlement of both matters and are seriously working toward conclusion.

Counsel for Applicant, Karin Segall, has agreed to this extension of time. This Request is submitted in triplicate as required by C.F.R. Section 2.102 (d).

Respectfully Submitted,

HOGAN & HARTSON L.L.P.

Date: December 19, 2002

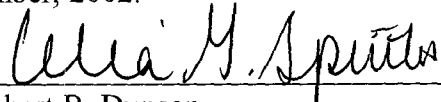
By: 

Robert B. Duncan
Celia G. Spiritos
8300 Greensboro Drive
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McLean, VA 22102
(703) 610-6159

Attorneys for Opposer,
Informax, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing FURTHER CONSENT REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF OPPOSITION was mailed by first class mail, postage prepaid, to Counsel for Applicant, Karin Segall, Darby & Darby, 805 Third Avenue, New York, New York 10022, on this 19th day of December, 2002.



Robert B. Duncan
Celia G. Spiritos

TTAB



HOGAN & HARTSON L.L.P.

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December 19, 2002

VIA COURIER AND RETURN

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NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513



12-19-2002
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #70

Dear Madam:

Enclosed for filing is a Further Consent Request for Additional Extension of Time to File a Notice of Opposition for the following mark:

Mark: INFORMIX (Stylized)
Application Serial No.: 76/081,486
File Date: June 30, 2000
Applicant: Informix Software, Inc.
Opposer: InforMax, Inc.

DEC 19 2002
MAIL ROOM

Enclosed is an original plus two (2) copies of the document. Please date stamp the postcard filing receipt and return it to the messenger who is filing the Request for Additional Extension of Time to File a Notice of Opposition.

Sincerely,
Celia G. Spiritos

Celia G. Spiritos

mc 69006.01 / 239214.01
Enclosures

DD