

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

In the Matter of	
Serial No.:	76/118557
Published in the Official Gazette:	TM 85
Publication Date:	March 19, 2002
Mark:	<b>CF ARTISAN</b>
Applicant:	Johnson Controls, Inc.



02-10-2003

U.S. Patent & TMO/c/TM Mail RcptDt. #30

Box TTAB, NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

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

Dear Madam:

Embarcadero Technologies, Inc., a Delaware corporation, having its principal place of business at 425 Market Street, Suite 425, San Francisco, CA 94105, by and through its attorneys, hereby requests that the Board grant a one hundred twenty (120) day extension of time to file a Notice of Opposition, through and including June 10, 2003 in the above-identified matter.

This Request is made as Potential Opposer and Applicant have reached a settlement and further time is required for Applicant to amend its application in accordance with the settlement and is not sought for purposes of delay. Applicant's

counsel, Mark J. Diliberti, consented to this request as a part of the settlement agreement.

This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Date: February 7, 2003

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE

By: 

Harold J. Milstein  
275 Middlefield Road  
Menlo Park, California 94025  
(650) 324-7061

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited on February 7, 2003, with the United States Postal Service with sufficient postage as First Class Mail addressed to:

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

  
Margaret Mena

**CERTIFICATE OF SERVICE**


I hereby certify that I served a copy of the foregoing Request With Consent For Extension of Time to File Notice of Opposition upon counsel for Applicant, Mark J. Diliberti, Foley & Lardner, 777 East Wisconsin Avenue, Suite 3800, Milwaukee, Wisconsin 53202-5367, via first-class U.S. mail, on February 7, 2003.

  
Margaret Mena

TTAB

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**TRANSMITTAL LETTER**

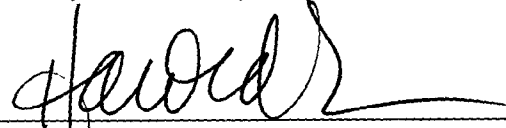
Dear Madam:

We are attorneys representing Embarcadero Technologies, Inc., a Delaware corporation. Enclosed are one original and two copies of a REQUEST WITH CONSENT FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION, filed by Embarcadero Technologies, Inc. for the above-referenced trademark.

Please address all correspondence to me at the address below. Please stamp and return to us the enclosed postcard to evidence your receipt of this document.

Date: February 7, 2003

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE

By:   
 Harold J. Milstein  
 275 Middlefield Road  
 Menlo Park, California 94025  
 (650) 324-7061

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