

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

In the matter of App. Ser. No. 75/674,583  
Published in the *Official Gazette* of June 19, 2001 at Page TM 165



VALENT BIOSCIENCES CORPORATION )

Opposer, )

v. )

ECO SOIL SYSTEMS, INC. )

Applicant. )

04-30-2002

U.S. Patent & TMO/TM Mail Ropt Dt. #11

Opposition No. 911 502 75

**CONSENTED MOTION**  
**FOR EXTENSION OF DISCOVERY, TRIAL AND BRIEF DATES**

Opposer, Valent Biosciences Corporation, hereby requests that the discovery, trial and brief periods for the above Opposition be extended for sixty (60) days, to be reset as follows:

Discovery period to close:	August 17, 2002
30-day testimony period for party in position of plaintiff to close:	November 15, 2002
30-day testimony period for party in position of defendant to close:	January 14, 2003
15-day rebuttal testimony period for plaintiff to close:	February 28, 2003
Due dates for briefs shall be similarly extended 60 days.	

Applicant and Opposer are conducting settlement discussions, and are hopeful that they may reach a resolution which would be fully dispositive of the Opposition. This request is not intended for the purposes of delay.

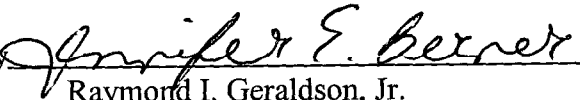
CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10  
"Express Mail" Mailing Label No: EL 930526259 US Date of Deposit: April 30, 2002

I hereby certify that the document to which this Certificate is affixed is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-4513, on the Date of Deposit shown above.

Counsel for applicant, Susan Meyer, Esq., consented to this extension via telephone on April 30, 2002.

Dated: April 30, 2002

PATTISHALL, McAULIFFE, NEWBURY,  
HILLIARD & GERALDSON

By  \_\_\_\_\_

Raymond I. Geraldson, Jr.

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Jennifer E. Berner

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Chicago, Illinois 60606

Telephone (312) 554-8000

Attorneys for Valent Biosciences  
Corporation

**CERTIFICATE OF SERVICE**

I, Jennifer E. Berner, an attorney for Opposer, hereby certify that a copy of the foregoing **CONSENTED MOTION FOR EXTENSION OF DISCOVERY, TRIAL AND BRIEF DATES** has been served upon Susan Meyer, Brown, Martin, Haller & McClain, 1660 Union Street, San Diego, CA, 92101-2926, this 30<sup>th</sup> day of April, 2002, by first class mail, postage prepaid.

*Jennifer E. Berner*

TTAB

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April 30, 2002

**VIA EXPRESS MAIL**

Assistant Commissioner for Trademarks  
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Arlington, VA 22202-3513



04-30-2002

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #11

TRADEMARK TRIAL AND  
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02 MAY 02 AM 8: 23

**Re: RELEASE**  
Serial No.: 75/674,583  
Opposition No. 911 502 75  
Our Reference No. 00876-00047

Dear Sir:

Enclosed please find:

1. An original and two copies of a Consented Motion For Extension Of Discovery, Trial and Brief Dates; and
2. A stamped, self-addressed postcard, which we request be stamped with the date of receipt and returned to us.

Sincerely,

*Jennifer E. Berner*

JEB:la  
Enclosure