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Dale V. Cann

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

Dallas Basketball Limited

Opposer,

v.

John Jacob Carlisle

Applicant.

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Opposition No. 91156064

Serial No. 76/165,865

Mark: DEEP 3 & design



Assistant Commissioner for Trademarks  
TTAB  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

10-22-2003  
U.S. Patent & TMO/TM Mail Rcpt Dt. #76

**REQUEST ON CONSENT FOR EXTENSION OF TIME  
OF DISCOVERY & TESTIMONY PERIODS**

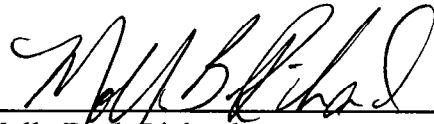
Dallas Basketball Limited, Opposer, on consent by counsel for Applicant, files this Request to Extend the discovery and testimony periods for ninety days to allow the parties to continue discovery in connection with this matter.

WHEREFORE, Opposer requests that the Board issue a new scheduling order with the deadlines set forth in Exhibit A attached hereto.

The undersigned certifies that on the 20<sup>th</sup> day of October, 2003 in a letter from Mark Sommers, counsel for Applicant, Mr. Sommers consented to this request.

October 21, 2003

Respectfully submitted,



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Molly Buck Richard  
Thompson & Knight LLP  
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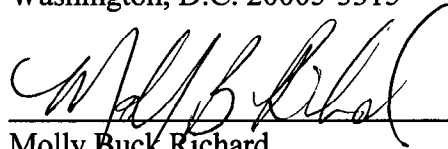
ATTORNEY FOR OPPOSER

502498 000001 DALLAS 1656947.1

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Request on Consent for Extension of Time of Discovery and Testimony Periods** was served via first class U. S. mail to the following on October 21, 2003:

Mr. Mark Sommers  
Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, D.C. 20005-3315

  
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Molly Buck Richard

**EXHIBIT A**

Period of Discovery to close	February 7, 2004
30-day testimony period for the party in position of plaintiff to close	May 7, 2004
30-day testimony period for the party in position of defendant to close	July 6, 2004
15-day rebuttal testimony period for plaintiff to close	August 20, 2004