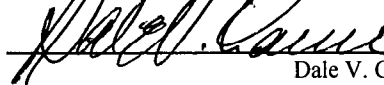


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Dale V. Cann

**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



01-20-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #78

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

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

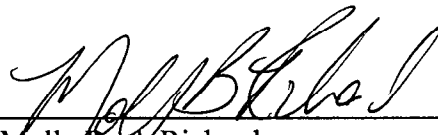
Dallas Basketball Limited, Opposer, on consent by counsel for Applicant, files this Request to Extend the discovery and testimony periods for sixty days to allow the parties to continue discovery in connection with this matter.

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 19th day of January, 2004 in an email message from Mark Sommers, counsel for Applicant, Mr. Sommers consented to this request.

January 20, 2004

Respectfully submitted,



Molly Buck Richard
Thompson & Knight LLP
1700 Pacific Avenue, Suite 3300
Dallas, Texas 75201-4693
Telephone: (214) 969-1677
Facsimile: (214) 969-1751

ATTORNEY FOR OPPOSER

502498 000001 DALLAS 1690816.1

EXHIBIT A

Period of Discovery to close	April 7, 2004
30-day testimony period for the party in position of plaintiff to close	July 6, 2004
30-day testimony period for the party in position of defendant to close	September 4, 2004
15-day rebuttal testimony period for plaintiff to close	October 19, 2004