

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

In the Matter of Application
 Serial No.: 78/114,952
 Application Date: March 14, 2002
 Publication Date: September 24, 2002, Page TM 388
 Trademark: NEUROQUEST

QUEST DIAGNOSTICS INCORPORATED,

Opposer,

v.

MEDIQUEST THERAPEUTICS, INC.

Applicant.

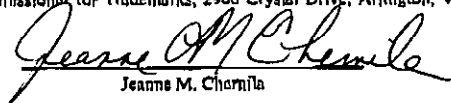
Opposition No: 91-156,554

**STIPULATED MOTION TO RESCHEDULE DISCOVERY PERIOD,
TESTIMONY PERIODS AND BRIEFING PERIODS**

Pursuant to Trademark Rule 2.121(a)(1) and 2.121(d), Opposer Quest Diagnostics Incorporated and Applicant MediQuest Therapeutics, Inc., through their respective attorneys, hereby request that the Discovery Period, Testimony Periods and Briefing Periods for the above-captioned proceedings be rescheduled for sixty (60) days. The parties request that the Discovery Period to Close be rescheduled to February 24, 2004; that the Testimony Period for the Plaintiff to Close be rescheduled to May 24, 2004; that the Testimony Period for the Defendant to Close be rescheduled to July 23, 2004; that the Rebuttal Testimony Period to Close be rescheduled to September 6, 2004; that the Brief of the Plaintiff shall be rescheduled to be due on November 5, 2004; that the Brief of the Defendant shall be rescheduled to be due on December 5, 2004; and that the Reply Brief of the Plaintiff shall be rescheduled to be due on December 20, 2004. The

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV405721218US "Express Mail Post Office to Addressee", in an envelope addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on this ___ day of December, 2003.


 Jeanne M. Chamila

Opposition No: 91-156,554


parties are still engaged in settlement discussions and the parties wish to have this opposition's Discovery Period, Testimony Periods and Briefing Periods rescheduled, so that the parties will have sufficient time to complete settlement, or if necessary, complete discovery and, in turn, enter testimony in this case. Applicant's counsel hereby consents to this rescheduling by signing this motion below.

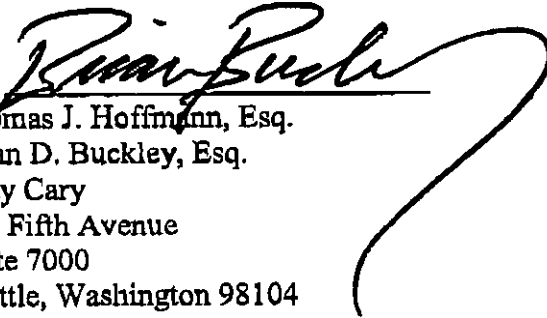
Opposer has specified the closing date for each period to be reset as required by Sections 501.03 and 509 of the Trademark Trial and Appeal Board Manual of Procedure and Jan Bell Marketing Inc. v. Centennial Jewelers Inc., 19 U.S.P.Q. 2d 1636 (T.T.A.B. 1990).

This Request is being submitted in triplicate as required by 37 C.F.R. §2.102(d) and §2.121(d).

Respectfully submitted,

Date: 12-22, 2003

By: 
One of the Attorneys for Opposer
Cheryl A. Withycombe
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By: 
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Attorney for Applicant
MediQuest Therapeutics, Inc.

Opposition No: 91-156,554

CERTIFICATE OF SERVICE

I hereby certify that the foregoing STIPULATED MOTION TO RESCHEDULE DISCOVERY PERIOD, TESTIMONY PERIODS AND BRIEFING PERIODS in the above-identified trademark matter was served upon the attorneys of record by depositing a copy of the same with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Thomas J. Hoffmann, Esq. and Brian D. Buckley, Esq. at the law firm of Gray Cary, 701 Fifth Avenue, Suite 7000, Seattle, Washington 98104 on this 2nd day of December, 2003.


Cheryl A. Withycombe

BAKER & MCKENZIE

ATTORNEYS AT LAW

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December 22, 2003

VIA EXPRESS MAIL NO. EV405721218US

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

Re: United States Trademark Opposition
 Mark : NEUROQUEST
 Opposer : Quest Diagnostics Incorporated
 Applicant : MediQuest Therapeutics, Inc.
 Opposition No. : 91-156,554
 Serial No. : 78/114,952
 Class : 5
 Published : September 24, 2002, Page TM 388
 Our File : 67148350-1004 (967462)

Dear Sir or Madam:

Enclosed please find a Stipulated Motion to Reschedule the Testimony Periods and Briefing Periods for the above-identified trademark Opposition matter.

All correspondence in this case should be sent to:

Cheryl A. Withycombe, Esq.
 BAKER & MCKENZIE
 101 West Broadway, 12th Floor
 San Diego, California 92101
 (619) 236-1441



12-24-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

BAKER & McKENZIE
Commissioner for Trademarks
December 22, 2003

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Please file-stamp and return the self-addressed postcard to this office for our records. Please charge any deficit or credit any excess to our Deposit Account No. 02-0410 (Baker & McKenzie). Thank you.

Respectfully submitted,

BAKER & McKENZIE

A handwritten signature in cursive script that reads "Cheryl A. Withycombe". The signature is written in black ink and is positioned above the printed name.

Cheryl A. Withycombe*

Enclosure

*Licensed in Illinois, U.S.A. only, not licensed in California.