

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



EXXON MOBIL CORPORATION

Opposer

v.

IMCLONE SYSTEMS INCORPORATED

Applicant

and

IMCLONE SYSTEMS INCORPORATED

Petitioner in Counterclaim

v.

EXXON MOBIL CORPORATION

Registrant in Counterclaim

03-12-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #2

Opposition No.: 91158375

Mark: ERBITUX CETUXIMAB (Design)

Serial No. 76/463,019

Cancellation No. _____

Marks:

Reg. No. 1,384,919 - - XX (stylized)

Reg. No. 1,412,809 - - XX (stylized)

Reg. No. 1,415,453 - - XX (stylized)

Reg. No. 2,149,419 - - XX (stylized)

Reg. No. 2,305,494 - - XX (stylized)

**IMCLONE SYSTEMS INCORPORATED'S MOTION ON CONSENT FOR EXTENSION OF
TIME TO FILE AN OPPOSITION TO EXXON MOBIL CORPORATION'S MOTION TO
STRIKE FIRST AND SIXTH AFFIRMATIVE DEFENSES**

Applicant and Counterclaim Petitioner ImClone Systems Incorporated ("ImClone Systems"), by and through its counsel, hereby requests, with the consent of Opposer Exxon Mobil Corporation (Exxon Mobil), for a two-week extension of time to file an Opposition to Exxon Mobil's Motion to Strike Applicant's First and Sixth Affirmative Defenses.

The reason for this request is that counsel for the parties have agreed that a further two-week extension for Exxon Mobil to respond to ImClone Systems' written discovery demands is appropriate. In exchange, Exxon Mobil has agreed to grant ImClone Systems a further two-

week extension to file an Opposition to Exxon Mobil's pending Motion, and also to respond to Exxon Mobil's pending discovery requests.

Therefore, ImClone Systems respectfully request that it be granted an additional two weeks, up through and including **March 29th, 2004**, to file an Opposition to Exxon Mobil's Motion to Strike Applicant's First and Sixth Affirmative Defenses.

Counsel for Exxon, Steven Meleen, consented to this request by a telephone conference on March 10, 2004.

Respectfully Submitted,

Date: 3/10/2004

~~Jennifer deWolf Paine~~
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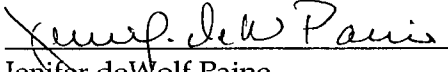
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that on March 10, 2004 a true and correct copy of the foregoing Request For Extension of Time to File an Opposition to Exxon Mobil Corporation's Motion to Strike Applicant's First and Sixth Affirmative Defenses was served by fax and first class mail on counsel for Opposer as follows:

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March 10, 2004

03-12-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #21

BOX TTAB - NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Re: Opposition No.: 91158375
Exxon Mobil Corporation v. ImClone Systems Incorporated

To Whom It May Concern:

Enclosed for filing in connection with the above-identified opposition proceeding are the following documents:

1. ImClone Systems Incorporated's Motion On Consent For Extension Of Time To File An Opposition To Exxon Mobile Corporation's Motion To Strike First And Sixth Affirmative Defenses.
2. A Certificate Of Service for the above-identified document.

Please acknowledge receipt of the enclosed documents by stamping the postage prepaid acknowledgement card and returning it to this office.

Respectfully submitted,

Stephen R. Dwyer

Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on the date shown below:

STEPHEN R. DWYER
(Typed or Printed Name of Person Signing Certificate)

[Signature]
(Signature)

MARCH 10, 2004
(Date)