

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Trademark Trial and Appeal Board**  
**P.O. Box 1451**  
**Alexandria, VA 22313-1451**

Mailed: April 12, 2005

Opposition No. 91158375

EXXON MOBIL CORPORATION

v.

ImClone Systems Incorporated

Cindy B. Greenbaum, Attorney:

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are resumed. Applicant has until THIRTY DAYS from the mailing date of this order to file a response to opposer's motion to strike, and opposer has until THIRTY DAYS from the mailing date of this order to file an answer or other responsive pleading to applicant's counterclaim.

The parties are allowed THIRTY DAYS from the mailing date of this order to serve responses to any outstanding discovery requests. Trial dates, including the close of discovery, are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	7/15/05
Thirty-day testimony period for the plaintiff to close:	10/13/05
Thirty-day testimony period for the party in position of defendant and plaintiff in the counterclaim to close:	12/12/05
Thirty-day testimony period for defendant in the counterclaim, and for rebuttal testimony as plaintiff to close:	2/10/06
Fifteen-day rebuttal testimony period for plaintiff in the counterclaim to close:	3/27/06
Briefs shall be due as follows. <i>See</i> Trademark Rule 2.128(a)(2)	
Brief for plaintiff due:	5/26/06
Brief for defendant, and plaintiff in the counterclaim due:	6/25/06
Brief for defendant in the counterclaim and its reply brief (if any) as plaintiff due:	6/25/06
Reply brief (if any) for plaintiff in the counterclaim due:	7/10/06

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125. Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.