

ESTTA Tracking number: **ESTTA32818**

Filing date: **05/11/2005**

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

<b>Proceeding</b>	91162405
<b>Party</b>	Plaintiff MedEx, LLC ,
<b>Correspondence Address</b>	JOHN J. O'MALLEY VOLPE and KOENIG, P.C. 30 SOUTH 17TH STREET, SUITE 1600 PHILADELPHIA, PA 19103 UNITED STATES jjo@volpe-koenig.com, ptomail@volpe-koenig.com, LMcGuinness@volpe-koenig.com
<b>Submission</b>	Motion to Extend
<b>Filer's Name</b>	John J. O'Malley
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<b>Signature</b>	/John J. O'Malley/
<b>Date</b>	05/11/2005
<b>Attachments</b>	MEDEX-Scanned.pdf ( 3 pages )

**TRADEMARK**

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

In the Trademark Opposition of

Mark: MEDEX  
Appln. No.: 78/299,234  
Published: June 8, 2004

Opposition No. 91162405

Date: May 11, 2005

Medex, LLC,  
Opposer

vs.

Operation Blessing International Relief and  
Development Corporation,  
Applicant

**MOTION ON TO EXTEND PERIOD TO RESPOND TO DISCOVERY  
REQUESTS AND RESET TRIAL DATES**

Opposer, Medex, LLC, is seeking an Extension of Time to file their response to Applicant, Operation Blessing International Relief and Development Corporation's First Set of Discovery Requests.

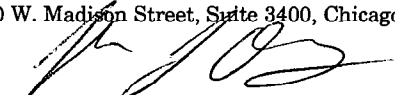
In accordance with Rule 2.102 of the Trademark Rules of Practice, the Opposer, Medex, LLC, hereby moves by and through their attorneys request that

\* \* \*  
**Certificate of Filing and Service**

I hereby certify that this correspondence is being filed online via ESTTA to: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on May 11, 2005.

I further certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed Patrick J. Arnold, McAndrews, Held & Malloy, LTD, 500 W. Madison Street, Suite 3400, Chicago, IL 60661 on May 11, 2005.

5-11-2005  
Date of Signature

  
John J. O'Malley

the Board grant an extension of time to file a response to Applicant's First Set of Discovery Requests in the above-identified matter. Opposer filed a previous request on May 6, 2005 to extend the period for in order to allow Opposer's client to review and comment on the discovery request and allow Opposer to finalize a settlement proposal. Due to travel schedules, Opposer's counsel and has not been able to contact its client to finalize the settlement proposal or discovery responses. Therefore, counsel for Opposer hereby requests that the time for Opposer, Medex, LLC, to file a response to Applicant's Discovery Requests be extended until May 20, 2005, and that all other response dates set by the Trademark Trial and Appeal Board be extended as follows.

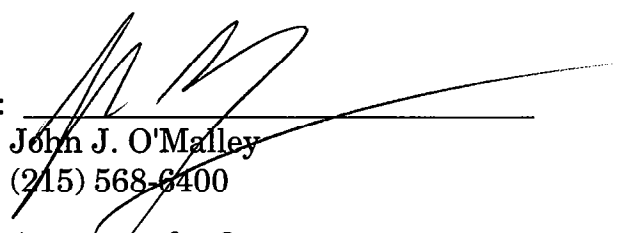
Discovery period to close:	July 3, 2005
30-day testimony period for party in position of plaintiff to close:	October 3, 2005
30-day testimony period for party in position of defendant to close:	December 1, 2005
15-day rebuttal period testimony period for plaintiff to close:	January 16, 2006

Accordingly, favorable action on this request is respectfully requested.

Respectfully submitted,

MEDEX, LLC

By: \_\_\_\_\_

  
John J. O'Malley  
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Attorneys for Opposer

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