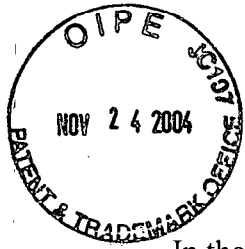


11-26-04

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

TTAB

In the matter of:

Mark: ALTUSAN
Application Serial No.: 78/313249
Filing Date: October 14, 2003

Altus Pharmaceuticals Inc.,
Opposer,

v.

Genentech, Inc.,
Applicant.

Opposition No. 91162655

CONSENTED MOTION OF GENENTECH, INC.
TO EXTEND PERIOD TO ANSWER OPPOSITION

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, as incorporated into the Rules of Practice in Trademark Cases Under Rule 2.116(a), 37 CFR § 2.116, and pursuant to Rule 2.127(a) of the Trademark Rules of Practice, 37 CFR § 2.127(a), Applicant, Genentech, Inc., hereby requests a sixty-day (60) extension of time to file an Answer in this proceeding up to and including January 31, 2005.

Discovery and testimony periods shall remain as set as follows:

Discovery period to close:	May 11, 2005
Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto)	August 9, 2005
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	October 8, 2005
Rebuttal testimony period to close: (opening fifteen days prior thereto)	November 22, 2005




As grounds for this motion, Applicant states that Applicant and Opposer are in discussions for a possible settlement of the matter. In a telephone conversation on November 22, 2004, Attorney for Opposer, Kerry Timbers, Esq., stated that Opposer consents to this extension request.

WHEREFORE, good cause having been shown, the Consented Motion of Applicant Genentech, Inc. to Extend Time to Answer should be granted.

Dated: November 24, 2004

GRAY CARY WARE & FREIDENRICH LLP

By 
Allyn Taylor
Gray Cary Ware & Freidenrich LLP
Attorneys for Applicant,
Genentech, Inc.
2000 University Avenue
East Palo Alto, CA 94303-2248
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CERTIFICATE OF EXPRESS MAILING

I, Allison Burn, do hereby certify that the foregoing document is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on this 24th day of November, 2004.

Allison V. Burn

Name:

Express Mail No.: EV600250733US

Date of Deposit: 11/24/04

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing CONSENTED MOTION OF APPLICANT GENENTECH, INC. TO EXTEND PERIOD TO ANSWER OPPOSITION was served by First Class Mail, postage prepaid, addressed to the following:

Kerry L. Timbers, Esq.
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110-1618
Telephone: 617-443-9292
Facsimile: 617-443-0004

Executed on this 24th day of November, 2004.

Allison V. Burn