

ESTTA Tracking number: **ESTTA35571**

Filing date: **06/13/2005**

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

Proceeding	91162951
Party	Plaintiff Cardinal Health 301, Inc. Cardinal Health 301, Inc. 3750 Torrey View Court San Diego, CA 92130 UNITED STATES
Correspondence Address	Joseph R. Dreitler Jones Day P O Box 165017 Columbus, OH 43215-2673 UNITED STATES jrdreitler@jonesday.com, nafickle@jonesday.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Joseph R. Dreitler
Filer's e-mail	jrdreitler@jonesday.com,nafickle@jonesday.com
Signature	/joseph r dreitler/
Date	06/13/2005
Attachments	Consented Motion to Extend - PYXIS.pdf (3 pages)

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

IN THE MATTER OF: Trademark Application Serial No. 78/244,392

DATE OF PUBLICATION: September 14, 2004

Cardinal Health 301, Inc.,

Opposer,

v.

Tessera, Inc.,

Applicant.

Opposition No.: 91162951

**CONSENTED MOTION TO EXTEND
AND RESET CLOSE OF BOTH DISCOVERY AND TESTIMONY PERIODS**

NOW COMES **Cardinal Health 301, Inc.**, through its attorney, and with the consent of **Tessera, Inc.**, through its attorney, and hereby jointly move that the Close of Discovery and all Testimony Periods all be extended for a period of thirty (30) days, as follows:

The Period for Discovery to Close	:	August 13, 2005
30-day testimony period for party in position of plaintiff to close	:	November 1, 2005
30-day testimony period for party in position of defendant to close	:	December 31, 2005
15-day rebuttal testimony period for plaintiff to close	:	February 14, 2006

The reason for this request is that Opposer and Applicant are negotiating the possibility of settlement and Opposer will have to determine if a possible settlement is feasible. Opposer received verbal approval from Applicant's counsel on June 9, 2005, stating that Applicant has agreed to and joins in this Consented Motion.

Dated: June 13, 2005

Respectfully submitted,



Joseph R. Dreitler

Brian J. Downey

Mary R. True

JONES DAY

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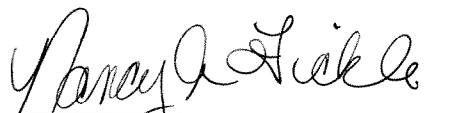
Facsimile: (614) 461-4198

Attorneys for Opposer

Cardinal Health 301, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consented Motion To Extend
And Reset Close Of Both Discovery And Testimony Periods was served by first class mail,
postage prepaid, on Bruce H. Sales, c/o Lerner, David, Littenberg, Krumholz & Mentlik, LLP ,
600 South Avenue West, Westfield, New Jersey 07090 via regular first class U.S. mail, postage
prepaid, this 13th day of June, 2005.



Nancy A. Fickle