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Filing date: **06/01/2011**

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

Proceeding	91182907
Party	Defendant Johnson Controls Battery Group, Inc.
Correspondence Address	PETER J LYNFIELD ABELMAN FRAYNE & SCHWAB 666 THIRD AVENUE NEW YORK, NY 10017-5612 UNITED STATES nwbranthover@lawabel.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Ned W. Branthover
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Signature	/Ned W. Branthover/
Date	06/01/2011
Attachments	Motion for Extension of Time on Consent - SIGNED - June 1, 2011.pdf (3 pages) (178423 bytes)

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

In the Matter of:

Application Serial No.: 76/623,151
Mark: Design Mark

Application Serial No.: 76/623,128
Mark: Design Mark – RED TOP

Application Serial No.: 76/623,152
Mark: Design Mark – YELLOW TOP

Application Serial No.: 76/623,153
Mark: Design Mark – BLUE TOP

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Exide Technologies.	:	Opposition No. 91182907
	:	Opposition No. 91183282
	:	Opposition No. 91183292
Opposer,	:	Opposition No. 91183293
	:	
- against -	:	MOTION FOR EXTENSION OF TIME
	:	<u>ON CONSENT TO ANSWER OPPOSITION</u>
Johnson Controls Battery Group, Inc.	:	
	:	
Applicant.	:	
-----X		

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22213-1451

The parties in the above-captioned opposition proceedings, which were consolidated by the Board's Order dated July 19, 2010 under the parent case Opposition No. 91182907, hereby move on consent for a 30 day extension of time for Applicant to answer the Opposition for June 9, 2011 to **July 9, 2011**.

In accordance with the Board's previous order requiring details of the settlement negotiations as a criteria for further extension requests, the parties are continuing to negotiate a worldwide

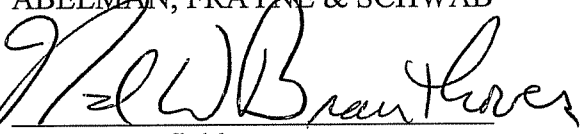
agreement settling the subject Opposition proceedings as well as all other oppositions and disputes involving these design marks. The parties have engaged in settlement conferences and are currently in discussions regarding Opposer's recently issued design patents. The parties believe that a thirty-day extension (30) will provide sufficient time to negotiate these terms in an effort to finalize these agreements.

Dated: New York, New York
June 1, 2011

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB

By:



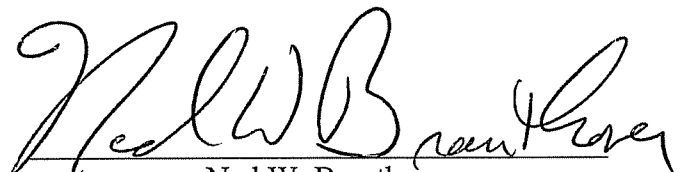
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CERTIFICATE OF SERVICE

I hereby certify that this 1st day of June 2011, I electronically filed the foregoing with the United States Patent and Trademark Office before the Trademark Trial and Appeal Board by using the ESTTA system and a copy of the foregoing was sent via email to the following:

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Ned W. Branthover