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Filing date: **04/27/2011**

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

Proceeding	91197762
Party	Defendant Delphix Corp.
Correspondence Address	CONNIE L ELLERBACH FENWICK & WEST LLP 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041 UNITED STATES trademark@fenwick.com, eball@fenwick.com, csakurai@fenwick.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Eric Ball, Esq.
Filer's e-mail	trademark@fenwick.com, eball@fenwick.com, csakurai@fenwick.com
Signature	/Eric Ball/
Date	04/27/2011
Attachments	DELPHIX - Stipulated Extension to Briefing Schedule.pdf (3 pages)(59102 bytes)

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

In the matter of
Trademark Application No.: 77/944,256
Filed: February 24, 2010
Published: August 10, 2010
Mark: DELPHIX

Embarcadero Technologies, Inc. Opposer, vs. Delphix Corp. Applicant.	Opposition No. 91197762

STIPULATED EXTENSION TO BRIEFING SCHEDULE

WHEREAS, on April 18, 2011, Embarcadero Technologies, Inc. ("Opposer") filed Opposer's Motion to Strike Applicant's Amended Affirmative Defenses (the "Motion").

WHEREAS, on April 20, 2011 counsel for Opposer and Delphix Corp. ("Applicant") conferred via email regarding a revised briefing schedule to accommodate the parties' counsels' scheduling conflicts.

WHEREAS, the parties have agreed to a revised briefing schedule as follows:

- Applicant's Opposition to the Motion to Strike Applicant's Amended Affirmative Defenses shall be filed and served no later than **June 9, 2011**
- Opposer's Reply in Support of Opposer's Motion to Strike Applicant's Amended Affirmative Defenses shall be filed and served no later than **July 6, 2011.**

WHEREAS, the request for a revised briefing schedule is made in good faith and without any intent to cause undue delay.

WHEREAS, on April 20, 2011 counsel for Opposer consented via email to the filing of a stipulation reflecting the parties' agreement regarding the revised briefing schedule.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between the parties, by and through their respective counsel, that (i) Applicant's Opposition to the Motion to Strike Applicant's Amended Affirmative Defenses shall be filed and served no later than **June 9, 2011** and (ii) Opposer's Reply in Support of Opposer's Motion to Strike Applicant's Amended Affirmative Defenses shall be filed and served no later than **July 6, 2011**.

Respectfully submitted,

Dated: April 27, 2011

Eric Ball, Esq.
Attorney for Applicant
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
(650) 988-8500
trademarks@fenwick.com

IT IS HEREBY APPROVED.

Dated: _____

_____

Trademark Trial and Appeal Board

PROOF OF SERVICE BY MAIL AND EMAIL

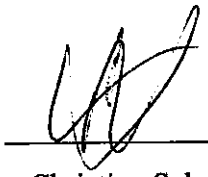
I declare that:

I am employed in the County of Mountain View, California.

I am over the age of eighteen years and not a party to the within cause; my business address is 801 California Street, Mountain View, California 94041. On the date indicated below, I served the within **Stipulated Extension to Briefing Schedule**, on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Embarcadero Technologies, Inc.
TechMark A Law Corporation
Attn.: Martin R. Greenstein
4820 Harwood Road, 2nd Floor
San Jose, CA 95124
mrg@techmark.com; lzh@techmark.com; amr@techmark.com; mpv@techmark.com

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 27th day of April, 2011.



Christine Sakurai