

ESTTA Tracking number: **ESTTA177293**

Filing date: **11/28/2007**

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

Proceeding.	92047833
Applicant	Defendant Orica Australia Pty. Ltd.
Other Party	Plaintiff MIOX Corporation

### **Motion for an Extension of Time to Answer With Consent**

Orica Australia Pty. Ltd.'s answer is currently due on 11/30/2007, and the close of discovery is currently set for 03/01/2008. Orica Australia Pty. Ltd. requests that its time to answer be extended by 30 days from the current due date, or until 12/30/2007. The grounds for applicant's request are as follows:

- *The parties are discussing settlement*
- *The notice and petition to cancel were sent to the incorrect domestic representative for the Registrant.*

Orica Australia Pty. Ltd. has secured the express consent of all other parties to this proceeding for the extension requested herein.

Orica Australia Pty. Ltd. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,  
/Annie C. Haselfeld/  
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11/28/2007