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U.S. Patent & TMO/c/TM Mail Rcpt Dt. #73

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

Trademark Application

Serial No. : 75/478,450  
 Filed : May 4, 1998  
 Published : August 27, 2002  
 Applicant : Nutri Pharma ASA  
 Mark : ABACOR  
 International Class : 5

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THIRD REQUEST FOR EXTENSION  
OF TIME TO FILE OPPOSITION

Pursuant to 15 U.S.C. § 1063 (Lanham Act § 13) and Trademark Rule 2.102, request is hereby made for a thirty (30) day extension of time within which a Notice of Opposition may be filed with respect to the above-identified application. This request is made on behalf of the prospective opposer:

Kos Pharmaceuticals, Inc.  
1001 Brickell Bay Drive  
25th Floor  
Miami, Florida 33131

The time within which a Notice of Opposition must be filed presently expires on November 25, 2002. If this request is granted, the time within which the prospective opposer may file a Notice of Opposition would be extended to and include December 25, 2002.

The additional time is needed to enable the prospective opposer to investigate the facts to determine whether an opposition is warranted. Thus, the foregoing request is made in good faith and not for purposes of delay and is being submitted in triplicate in accordance with Trademark Rule 2.102(d).

Respectfully submitted,

FISH & NEAVE

Dated: November 19, 2002

By *Susan Progoff*  
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Attorneys for Prospective  
Opposer, Kos Pharmaceuticals,  
Inc.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner of  
Trademarks, 2500 Crystal Drive,  
Arlington, VA 22202-3513 on  
the date which appears below:

*Carmen Paton*  
Carmen Paton

*Nov. 19, 2002*

Date of the Signature and Deposit