

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

In re Application of: Sacker, Stephen M.

Law Office: 101

Serial No.: 75/835,499

Trademark Attorney: Barbara A. Loughran

Filed: November 18, 1999

Trademark: eMD

BOX TTAB

NO FEE

Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3513

12-04-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #77

**REQUEST FOR EXTENSION OF TIME FOR FILING
APPLICANT-APPELLANT'S BRIEF**

Madam:

It is respectfully requested that the time now set for filing applicant-appellant's brief, **November 29, 2002**, be extended sixty days, so that it will be due **January 28, 2003**, if at all. This request is made for the purposes of delay.

Applicant-appellant has obtained the trademark rights from the Bankruptcy Court for the eMD mark used previously for similar goods and services, but is in the process of gathering the documentation in support those rights.

Applicant-appellant is currently attempting to contact McGraw Hill for a statement supporting our assertions that there is no likelihood of confusion between McGraw Hill's Internet magazine and Applicant-appellant's Internet medical reference database and equipment.

Applicant-appellant apologizes for the unexpected amount of time it has taken to gather the information necessary to support our claim of trademark rights and the McGraw Hill statement.

Applicant-appellant therefore makes this request for an extension of time in which to file its brief. If the 60 day extension is nonetheless denied, applicant respectfully requests that the time to file its brief at least be reset for a brief period to afford time to prepare and file its brief.

Respectfully submitted,

Applicant-Appellant

By 

Date: November 27, 2002

Kenneth C. Booth
Reg. No. 42,342
18 E. University Drive, #101
Mesa, AZ 85201
480-655-0073

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: eMD
Applicant: Stephen M. Sacker
Serial No.: 75/835,499



12-04-2002
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #7?

Assistant Commissioner for Trademarks
Box TTAB/ No Fee
2900 Crystal Drive
Arlington, Virginia 22202-3513

Dear Sir:

The undersigned, on behalf of applicant, submits herewith the following:

- 1) Postcard; and
- 2) Request for Extension of Time for Filing Applicant-Appellant Brief.

No fee is due with this request.

Respectfully submitted,

Kenneth C. Booth
Reg. No. 42,342

RECEIVED 12/04/02

Date: November 27, 2002
Schmeiser, Olsen & Watts LLP
18 East University Drive, #101
Mesa, Arizona 85201
(480) 655-0073

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS AND TRADEMARKS, BOX TTAB/ NO FEE, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3513.

ON: November 27, 2002

SIGNATURE:

Heather Clark