

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: April 23, 2003

Applicant: FOODEX CORPORATION
Serial No.: 75836680
Filed: 10/29/1999
Mark: FOODEX

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On **October 21, 2002**, **Federal Express Corporation** filed a notice of opposition against the above-identified application.

A review of the record in this case reveals that on **August 21, 2002**, potential opposer filed a request for a further **60-days** extension of time to oppose from **September 18, 2002** (the expiration of the previously extended period) to **October 18, 2002**. However, since there was no indication that applicant consented to the request, the Board could only grant the request until **September 18, 2002**, which is 120 days from the **May 21, 2002** date of publication. See: Trademark Rule 2.102(c).

In view thereof, the notice of opposition cannot be given any consideration herein.

The papers will be referred to the Finance Branch of the Office for consideration of a **refund of the \$300.00 opposition fee**.