

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

In re application of Kaivac, Inc.)	
)	International Classes: 3, 7, 8, 12,
Serial No. 76/087,973)	and 41
)	
Filed: July 10, 2000)	Published: December 11, 2001
)	
Mark: KAI)	

FIRST REQUEST
FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION

BOX TTAB – NO FEE
Honorable Commissioner
of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Pursuant to 37 C.F.R. § 2.102, Ecolab, Inc., a Delaware corporation having a principal place of business at 370 Wabasha Street North, Saint Paul, Minnesota 55102, and its wholly owned subsidiary Kay Chemical Company, a North Carolina corporation having a principal place of business at 8300 Capital Drive, Greensboro, North Carolina 27409, by and through their undersigned attorneys, hereby request that the Board grant a thirty (30) day extension of time to file an opposition against the above-identified application, up to and including February 9, 2002.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

January 7, 2001
Date of Deposit
Christene Kusilek
Signature
Christine Kusilek
Typed or Printed Name of Person Signing Certificate

The extension is necessary in order for Ecolab, Inc. and Kay Chemical Company to evaluate the necessity of filing a Notice of Opposition. The requested extension of time does not exceed 120 days from the date of publication.

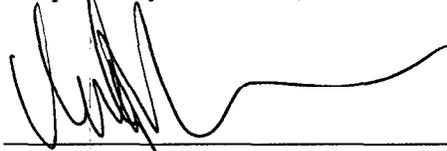
This request is being submitted in triplicate (original plus two copies) as required by 37 C.F.R. § 2.102(d).

Ecolab, Inc. and Kay Chemical Company understand that no fee or certification is required for the submission and consideration of this information at this time. Should any fee be required at this time, the Commissioner is authorized to charge such fee to Deposit Account No. 06-1050/11434/001001.

Please forward any reply to this communication directly to Fish & Richardson P.C., P.A. at 3300 Dain Rauscher Plaza, 60 South Sixth Street, Minneapolis, Minnesota 55402. The fax number is (612) 288-9696.

Dated: January 7, 2002

Respectfully submitted,



Michael L. Gannon
FISH & RICHARDSON P.C., P.A.
3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, MN 55402
(612) 337-2519

ATTORNEY FOR ECOLAB, INC. AND
KAY CHEMICAL COMPANY

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

In re application of
Kaivac, Inc.

International Class: 3, 7, 8, 12 and 41

Serial No. 76/087,973

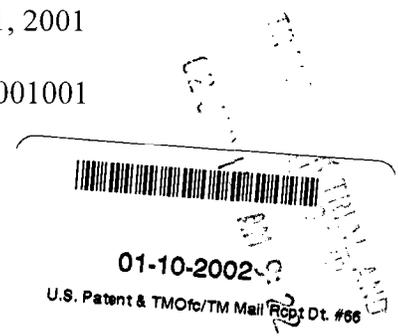
Published: December 11, 2001

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Atty Docket No. 11434/001001

Mark: KAI

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Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513



TRANSMITTAL

Sir:

Transmitted herewith please find the following documents:

- (1) First Request for Extension of Time to File Notice of Opposition in triplicate; and
- (2) A return postcard to acknowledge receipt of these materials. Please date-stamp and return this postcard.

Should any fees be required relating to this document, the Assistant Commissioner for Trademarks is authorized to deduct said fees from the Deposit Account of Fish & Richardson, Deposit Account No. 06-1050/11434/001001.

Very truly yours,

Michael L. Gannon

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1A