



03-04-2002

U.S. Patent & TMO/c/TM Mail RcptDt. #58

Attorney's Docket No.: 11434-164PP1

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

Applicant : kaivac, Inc.
Serial No. : 76/087,973
Filed : July 10, 2000
Mark : KAI
Published : December 11, 2001

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

THIRD REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION

Pursuant to 37 C.F.R. § 2.102, Kay Chemical Company, a North Carolina corporation having a principal place of business at 8300 Capital Drive, Greensboro, North Carolina 27409, by and through its undersigned attorneys, hereby requests that the Board grant a thirty (30) day extension of time to file an opposition against the above-identified application, up to and including April 10, 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 Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

March 1, 2002
Date of Deposit

Mel Erickson
Signature

MEL ERICKSON
Typed or Printed Name of Person Signing Certificate

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

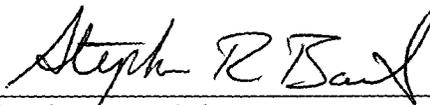
This request is being submitted in triplicate (original plus two copies) as required by 37 C.F.R. § 2.102(d).

Kay Chemical Company understands 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 Honorable Commissioner for Trademarks is authorized to charge such fee to Deposit Account No. 06-1050/11434/164PP1.

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: March 1, 2002

Respectfully submitted,



Stephen R. Baird
FISH & RICHARDSON P.C., P.A.
3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, MN 55402
(612) 337-2572

ATTORNEY FOR
KAY CHEMICAL COMPANY



TTAB

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TRANSMITTAL

Sir or Madam:

Transmitted herewith please find the following documents:

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

Should any fees be required relating to this document, the Hon. Commissioner for Trademarks is authorized to deduct said fees from the Deposit Account of Fish & Richardson, Deposit account No. 06-1050/11434-164PP1.

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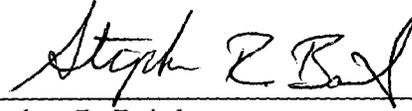
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