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

IN RE: Application of)
Merrill Lynch & Co., Inc.)
)
SERIAL NO.: 76/192241)
)
MARK: AGT)
)
PUBLISHED: July 2, 2002)

08-29-2002
U.S. Patent & TMO/tm Mail Rcpt Dt. #26
TRADEMARK TRIAL AND
APPEAL BOARD
02 SEP -2 AM 12: 56

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

THE UNDERSIGNED CERTIFIES THAT THIS DOCUMENT IS BEING PLACED IN AN ENVELOPE ADDRESSED TO BOX TTAB, NO FEE, COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3513, AND DEPOSITED AS FIRST CLASS MAIL, POSTAGE PREPAID, THIS 27th DAY OF AUGUST, 2002.

Stalwell

SECOND REQUEST FOR EXTENSION OF TIME TO OPPOSE

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

AGF Management Limited ("Petitioner"), a corporation organized and existing under the laws of Canada, by its attorneys, Scot A. Duvall and the law firm of Middleton Reutlinger, 2500 Brown & Williamson Tower, Louisville, Kentucky 40202, (502) 584-1135, hereby petitions for an extension of time for the Petitioner to file a Notice of Opposition to the above-identified mark for a period of thirty (30) days from August 31, 2002, to **September 30, 2002**. This request is made because the Board has issued no

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response to the Petitioner's initial request for an extension of 60 days, which was to extend through the same date. The additional information herein is provided in support of Petitioner's statement of good cause for the requested extension.

Petitioner believes that it is likely to be damaged by registration of the mark and needs additional time to review the situation. Petitioner states that it has been engaging in efforts to address this situation and that there is good cause for the extension. Petitioner needs the requested extension period to continue its investigation and to determine whether an opposition may be necessary. In this regard, Petitioner's Canadian counsel (Petitioner is a Canada entity) has made contact with the Applicant's Canadian counsel (in that the Applicant has filed a corresponding application in Canada), to obtain additional information and to investigate possible resolution of this matter without an opposition proceeding. Petitioner's undersigned counsel has contacted the Applicant's counsel of record to discuss the matter. This request is not interposed for delay.

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

Respectfully submitted,



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Dated: AUG. 27, 2002