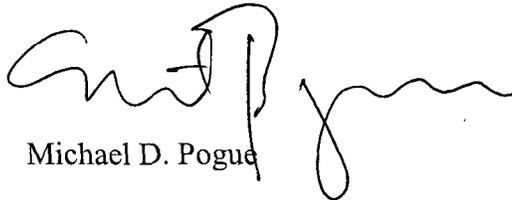


Assistant Commissioner for Trademarks
August 1, 2002
Page 2

Request for Extension of Time to Oppose

I represent Mr. Darryl Peterson, dba Maxx Payne, who believes he would be damaged by the registration the above mark on the Principal Register. We respectfully request a thirty (30) day extension of time for filing an opposition to Application Serial No. 76/268400 for the mark MAX PAYNE. This request for extension is made for the purpose of determining if opposition is warranted and not for the purpose of unduly delaying these proceedings. No previous extensions have been granted in this matter.

Respectfully submitted,



Michael D. Pogue

R. KEITH ROARK
K. ELLEN BAXTER
DOUGLAS NELSON
CYNTHIA WOOLLEY
MICHAEL F. DONOVAN
JAMES W. PHILLIPS

August 1, 2002

Box RESPONSES - NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

08-05-2002
U.S. Patent & TMO/TM Mail Rpt Dt. #7

Re: Application Serial No.: 76/268400
Mark: MAX PAYNE
Filing Date: June 6, 2001
Publication Date: July 2, 2002
Applicant: Apogee Software, Ltd. Action
Entertainment, Inc.

02 AUG -9 AM 8:44
TRADEMARK TRIAL AND
APPEAL BOARD

Request for Extension of Time to Oppose

Transmitted for filing is the Request Under Rule 2.102 to Extend Time for Filing of Mr. Darryl Peterson, dba Maxx Payne, regarding the MAX PAYNE trademark application, We are filing an original and three copies as required by the Trademark Trial and Appeal Board.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on:	
<u>Judy G. Masten</u> Print Name	<u>August 1, 2002</u> Date of Deposit
<u>Judy G. Masten</u> Signature	<u>August 1, 2002</u> Date

JM