

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as "Express Mail, Post Office to Addressee" by the Certificate Number set forth below, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on the date set forth below.

Date: July 31, 2002

Signature:

Valerie Land
Valerie Land

U.S. Patent & TMO/c/TM Mail Rcpt. Dt. #57



07-31-2002

Exp. Cert. No.: EU 426916550 US

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

In re Trademark Application of)
)
PROMEGA CORPORATION)
)
Filed: July 13, 2001)
)
Serial No.: 76284028)
)
Mark: MAGNESIL)
)
Int'l Class 001)
U.S. Classes 001, 005, 006, 010, 026, 046)
)
Published for Opposition in the *Official*)
Gazette on April 2, 2002)
)

ORIGINAL

TMO Law Office 115

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

FOURTH REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION

Sir:

Cortex-Biochem, Inc., a corporation having its principal place of business at 1933 Davis Street, Suite 321, San Leandro, CA 94577, by and through its attorneys, hereby requests that the

Board grant a thirty (30) day extension of time to file a Notice of Opposition in the above-entitled matter.

The parties have reached a settlement in principal regarding use of the respective marks. The extension is necessary in order for the parties to draft and approve the appropriate documentation establishing the basis of their understanding. By telephone conference today with Counsel for Promega, it has stipulated to this extension request.

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

Respectfully submitted,



Kevin R. Martin
McNichols Randick O'Dea & Tooliatos, LLP
5000 Hopyard Road, Suite 400
Pleasanton, CA 94588
Telephone: (925) 460-3700
Attorneys for Cortex-Biochem, Inc.,
Potential Opposer

Date: July 31, 2002

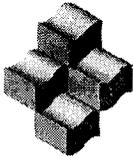
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon the following counsel of record via United States first-class mail, postage prepaid, this 31th day of July, 2002.

Harry C. Engstrom, Esq.
FOLEY & LARDNER
Vertex Plaza
150 East Gilman Street
Madison, WI 53703-1491


Valerie Land

TTAB



McNICHOLS RANDICK
O'DEA & TOOLIATOS LLP

July 31, 2002

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

Re: **FOURTH REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Mark: MAGNESIL
Application of: Promega Corporation
Serial No.: 76284028
Our Reference No.: C0840.007
Publication Date: April 2, 2002
Express Mail No.: EU 426916550 US

Dear Sir/Madam:

Enclosed please find the following:

- FOURTH REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION (original and two copies); and
- a postage-paid envelope addressed to Harry Engstrom, Esq., Counsel for Promega; and
- A self-addressed, postage-paid acknowledgment post card. Please date stamp this card and return to our office.

TRADEMARK TRIALS
APPEAL BOARD
02 AUG 03 AM 8:44

Respectfully submitted,

McNICHOLS RANDICK O'DEA & TOOLIATOS, LLP

Valerie L. Land, Legal Secretary to
Kevin R. Martin

Enclosures

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