

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: August 22, 2002

Applicant: King Pharmaceuticals, Inc.  
Serial No.: 76335715  
Filed: 11/08/2001  
Mark: VUESCAN

STEVEN H. HARTMAN

101 FEDERAL STREET  
BOSTON, MA 02110

09-12-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #66

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**Jamila Wong, Legal Assistant**

A review of the file in this case reveals that on **August 22, 2002** potential opposer herein, **Novartis AG**, was granted an extension of time to **June 1, 2002** in which to file a notice of opposition.

On **July 3, 2002**, potential opposer filed a request for a further extension of time to oppose.

Counsel's attention is directed to Section 13, as amended effective February 27, 1983 wherein it is indicated that ". . . Upon written request prior to the expiration of the thirty-day period, the time for filing opposition shall be extended for an additional thirty days, and further extension of time for filing opposition may be granted by the Commissioner for good cause when requested prior to the expiration of an extension. . . ." (emphasis added)

While the subject request was accompanied by a certificate of mailing, it is dated **June 28, 2002**, a time subsequent to the expiration of the extended period. In view thereof, the request for additional time to oppose is denied.

JA

TTAB

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

In the Matter of:

Application Serial No.: 76/335,715  
Applicant: King Pharmaceuticals Inc.  
Trademark: VUESCAN  
International Class: 5  
Published: April 2, 2002



07-03-2002  
U.S. Patent & TMO/TM Mail Rcpt Dt. #

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TRADEMARK TRIAL AND  
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REQUEST ON CONSENT FOR ADDITIONAL EXTENSION OF TIME TO FILE  
OPPOSITION

Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Attention: Trademark Trial and Appeal Board

S I R:

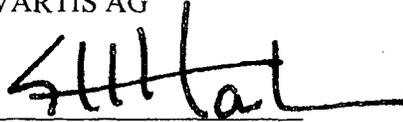
Novartis AG, a corporation of Switzerland located and doing business at Lichstrasse 35, 4056 CH, Basel, Switzerland, believing that it would be damaged by the registration of the trademark VUESCAN, in International Class 5, by its undersigned attorney, respectfully requests an additional extension of time of sixty (60) days, up to and including August 29, 2002, to file a notice of opposition to the above-identified application.

Applicant's attorney, Linda M. Buckley of Edwards & Angell, LLP has consented to the extension. The request is made to facilitate settlement negotiations.

Respectfully submitted,

NOVARTIS AG

By



Steven H. Hartman

Attorney for Potential Opposer

Dated: June 28 2002

Enclosure: Request for Further Extension  
of Time (3)  
Postcard

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box TTAB NO Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on June 28 2002.



Signature

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Applicant's Request For Extension Of Time To File Opposition has been served upon Linda M. Buckley of Edwards & Angell, LLP, 101 Federal Street, Boston, MA., 0211-1800, the address designated by said attorney for that purpose, by depositing a true copy thereof with the United States Postal Service as first-class mail, on June 27 2002.



Diane Lescota

6/28/02

Date of Signature

AFTER 10 DAYS RETURN TO:

UNITED STATES DEPARTMENT OF COMMERCE

PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR TRADEMARKS

2900 CRYSTAL DRIVE

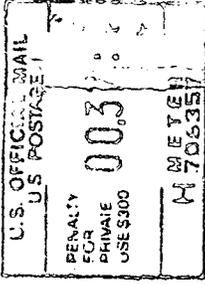
ARLINGTON, VA 22202-3513

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE \$300

RETURN TO EQUAL OPPORTUNITY EMPLOYMENT

FIRST CLASS



76335715

UNKNOWN  
MULTIPLE BUSINESS BUILDING  
USE FIRM NAME

STEVEN H. HARTMAN  
101 FEDERAL STREET  
BOSTON, MA 02110

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