

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

In the Matter of
Serial No. : 76/352,319

Published in the
Official Gazette on: September 16, 2003

Mark : **EMETRIX**

Applicant : American Healthways, Inc.

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

**FIRST REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Dear Sir or Madam:

iMetrikus, Inc., a Delaware corporation, having its principal place of business at 5770 Armada Drive, Suite 100, Carlsbad, California 92008, by and through its attorneys, hereby requests that the Board grant a sixty (60) day extension of time to file a Notice of Opposition, through and including December 15, 2003, in the above-identified matter.

This extension is necessary in order for iMetrikus, Inc. to investigate and evaluate the necessity of filing a Notice of Opposition and is not sought for purposes of delay.

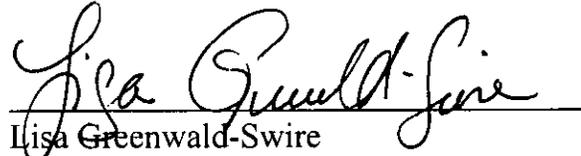
This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Date: October 15, 2003

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE

By:



Lisa Greenwald-Swire
275 Middlefield Road
Menlo Park, California 94025
(650) 324-7137

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on October 15, 2003, with the United States Postal Service with sufficient postage as First Class Mail addressed to:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514


Margaret Trevino



TTAB

10-20-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #76

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2900 Crystal Drive
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TRANSMITTAL LETTER

Dear Sir or Madam:

We are attorneys representing iMetrikus, Inc., a Delaware corporation. Enclosed are one original and two copies of a FIRST REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION, filed by iMetrikus, Inc. for the above-referenced trademark.

Please address all correspondence to my attention at the address below. Please stamp and return to us the enclosed postcard to evidence your receipt of this document.

Date: October 15, 2003

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By: *Lisa Greenwald-Swire*
Lisa Greenwald-Swire
275 Middlefield Road
Menlo Park, California 94025
(650) 324-7137