

ESTTA Tracking number: **ESTTA66438**

Filing date: **02/14/2006**

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

Applicant:	<b>Republic Tobacco, L.P.</b>
Application Serial Number:	<b>76523789</b>
Application Filing Date:	<b>06/09/2003</b>
Mark:	<b>TRIBAL</b>
Date of Publication	<b>10/18/2005</b>

## **60 Day Request for Extension of Time to Oppose Upon Extraordinary Circumstances**

Pursuant to 37 C.F.R. Section 2.102, HBI International, Inc., 836 E. University Dr.# 101, Pheonix, AZ 85034, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for extraordinary circumstances shown .

Potential opposer believes that extraordinary circumstances are established for this request by:

- The Applicant and Opposer are currently engaged in litigation regarding matters including the mark at issue. The parties are currently negotiating a Settlement Agreement that will dispose of the litigation and will obviate the need for this Opposition, but require more time to finalize the Agreement. An extension of time to oppose is requested in the event that the Settlement Agreement is not consummated.

The time within which to file a notice of opposition is set to expire on 02/15/2006. HBI International, Inc. respectfully requests that the time period within which to file an opposition be extended until 04/16/2006.

Respectfully submitted,  
/MelissaLaBauve/  
02/14/2006

**Melissa LaBauve**

**Adams and Reese, LLP**

**1221 McKinney Street Suite 4400**

**Houston, TX 77010**

**UNITED STATES**

**melissa.labauve@arlaw.com**

**713-308-0176**