

ESTTA Tracking number: **ESTTA101360**

Filing date: **09/27/2006**

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

Applicant:	NxCare, Inc.
Application Serial Number:	76652161
Application Filing Date:	12/12/2005
Mark:	THE FUTURE OF BODYBUILDING
Date of Publication	08/29/2006

First 90 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Iovate Health Sciences USA, Inc., 3880 Jeffrey Boulevard, Blasdell, NY 14219, UNITED STATES, a corporation organized under the laws of Delaware, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown.

Potential opposer believes that good causes are established for this request by:

- The potential opposer needs additional time to investigate the claim
- The potential opposer needs additional time to confer with counsel

The time within which to file a notice of opposition is set to expire on 09/28/2006. Iovate Health Sciences USA, Inc. respectfully requests that the time period within which to file an opposition be extended until 12/27/2006.

Respectfully submitted,
/Howard J. Shire/
09/27/2006

Howard J. Shire, Esq.
Kenyon & Kenyon LLP
One Broadway
New York, NY 10004
UNITED STATES
tmdocketny@kenyon.com
212-425-7200