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

Proceeding	77416487
Applicant	Intuity Medical, Inc.
Applied for Mark	ONE-STEP
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Submission	REQUEST FOR EXTENSION OF TIME TO FILE BRIEF ON APPEAL
Attachments	one-step appeal ext.pdf (1 page)(18177 bytes)
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Date	09/03/2010

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

In re:)
)
Serial No. 77/416487)
)
Applicant: Intuity Medical Inc.)
)
Mark: **ONE-STEP**)
)
_____)

REQUEST FOR EXTENSION OF TIME TO FILE BRIEF ON APPEAL

Applicant hereby requests a sixty-day extension of time in which to file its brief on appeal in this case.

Applicant has been in contact with the Trademark Trial and Appeal Board (the "Board") and the Examiner in connection with this Appeal and pending Serial No. 77/416487. The U.S. Patent and Trademark Office ("USPTO") issued a final office action concerning the consent agreement for Application Nos. 77/416484 and 77/416487 on February 4, 2010. Applicant submitted a response to final office action to the regarding the consent agreement. However, it appears that the Board and USPTO were not aware of the filings in this case. The Board set a deadline for Appeal before the Examiner had an opportunity to consider the final office action. Moreover, August 31, 2010, in a telephone call with the Examiner, the Examiner indicated she had been in contact with the Board regarding the procedural abnormalities here. After that discussion, on August 31, the Board *sua sponte* electronically entered the Request for Reconsideration which Applicant had originally filed with the USPTO on June 30, 2010.

This sixty day extension is required to resolve several underlying issues before an appeal brief may be filed. It is submitted that this request is well taken and should be granted.

Respectfully submitted,

LATHAM & WATKINS LLP

Dated: September 3, 2010

By: Deborah A. Gubernick

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