

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: October 21, 2009

Applicant: AETNA INC.
Serial No.: 77677706
Filed: 2/25/2009
Mark: AETNA ONE

FAYE A. DION
AETNA INC.
151 FARMINGTON AVENUE
HARTFORD, CT 06156-0001 UNITED STATES

Veronica P. White, Paralegal Specialist:

The request for further extension of time to oppose filed October 21, 2009, on behalf of Humana, Inc. is noted.

Extensions of time to oppose may be granted only as provided in Trademark Rule 2.102:¹

... (3) After receiving one or two extensions of time totaling ninety days, a person may file one final request for an extension of time for an additional sixty days. The Board will grant this request only upon written consent or stipulation signed by the applicant or its authorized representative, or a written request by the potential opposer or its authorized representative stating that the applicant or its authorize representative has consented to the request, or a showing of extraordinary circumstances. No further extensions of time to file an opposition will be granted under any circumstances.

Inasmuch as the circumstances recited in the instant request are not deemed to be extraordinary in nature, and since there is no indication that applicant has consented thereto, the request is denied. Accordingly, potential opposer is allowed until **October 21, 2009** in which to submit a request

¹ Trademark Rule 2.102 was recently amended. See, Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. Reg. 55,748 (Sept. 26, 2003). The amended rule applies to any potential opposer which filed its first extension of time against a particular application on or after November 2, 2003. *Id.*

for extension of time to oppose which complies with Trademark Rule 2.102, failing which potential opposer's remedy lies in the filing of a petition for cancellation after applicant's application has matured into registration.
