

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

HEALTH CARE AND RETIREMENT)
CORPORATION OF AMERICA,)
)
Potential Opposer,)
)
v.)
)
SANARUS MEDICAL, INC.,)
)
Applicant.)

OPPOSITION NO.

COMMISSIONER FOR TRADEMARKS
2900 CRYSTAL DRIVE
ARLINGTON, VA 22202-3513

CORRECTED
FOURTH REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION

RE: APPLICATION NO.: 78/123,506
MARK: CIRCLE OF CARE
APPLICANT: SANARUS MEDICAL, INC.
FILED: APRIL 23, 2002
PUBLISHED: JUNE 17, 2003

Dear Sir:

Potential Opposers request that the time for filing an opposition against Application Serial No. 78/123,506 for the mark **CIRCLE OF CARE**, filed by **SANARUS MEDICAL, INC.** be extended by an additional thirty (30) days, up to and including **January 13, 2004**.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

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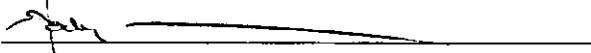
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Deposited with the United States Postal Service on December 12, 2003 with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

transmitted by facsimile on [date] to the U.S. Patent and Trademark Office telefax number .

Type Signature Name

Jody L. Burtner



(Signature of person mailing paper or fee)

(Signature of person mailing paper or fee)

Potential Opposer and Applicant are in negotiations to resolve this matter and need additional time to attempt to resolve this matter without an opposition. This request to extend time is not being filed for the purpose of delay.

Applicant's attorney, Susan L. Crockett, consented to the extension until January 13, 2004, during a teleconference on November 24, 2003.

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

Date: December 12, 2003

Respectfully submitted,

HEALTH CARE AND RETIREMENT
CORPORATION OF AMERICA

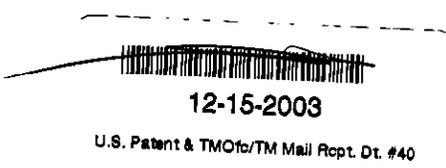
By: Joshua S. Bish
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December 12, 2003

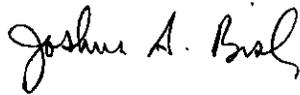
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

RE: APPLICATION NO.: 78/123,506
MARK: CIRCLE OF CARE
APPLICANT: SANARUS MEDICAL, INC.
FILED: April 23, 2002
PUBLISHED: June 17, 2003
Our Ref.: 02-438-US

Dear Commissioner:

Enclosed please find a corrected Fourth Request for Extension of Time to File Notice of Opposition, in triplicate. This corrected request is being filed to clarify that the stipulated extension is through and including January 13, 2004 (not 2003).

Very truly yours,
REED SMITH LLP

By: 
Joshua S. Bish

cc: Susan L. Crockett, Esq. (w/encl.)
David K. Nees, Esq. (w/encl.)
Gene A. Tabachnick, Esq. (w/o encl.)
Charles H. Dougherty, Jr., Esq. (w/o encl.)

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