

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

In the Matter of Serial No. : 78/236,530 Published in the Official Gazette on: November 4, 2003 Mark : SMARTCYCLE Applicant : Medtronic, Inc.

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

**FIRST REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Dear Sir or Madam:

Cepheid, a California corporation, having its principal place of business at 904 Caribbean Drive, Sunnyvale, California 94089, by and through its attorneys, hereby requests that the Board grant a thirty (30) day extension of time to file a Notice of Opposition, through and including January 3, 2004, in the above-identified matter.

This extension is necessary in order for Cepheid to investigate and evaluate the

necessity of filing a Notice of Opposition and is not sought for purposes of delay.

Date: 12-3-03

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE

By: 
Lisa Greenwald-Swire
275 Middlefield Road
Menlo Park, California 94025
(650) 324-7137

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on December 3, 2003, with the United States Postal Service with sufficient postage as First Class Mail addressed to:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514


Margaret Trevino

TTAB

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

In the Matter of
Serial No. : 78/236,530

Published in the
Official Gazette on: November 4, 2003

Mark : **SMARTCYCLE**

Applicant : Medtronic, Inc.

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

TRANSMITTAL LETTER

Dear Sir or Madam:

We are attorneys representing Cepheid, a California corporation. Enclosed is one original of a FIRST REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION, filed by Cepheid for the above-referenced trademark.

Please address all correspondence to my attention at the address below. Please stamp and return to us the enclosed postcard to evidence your receipt of this document.

Date: 12-3-03

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By: *Lisa Greenwald-Swire*
Lisa Greenwald-Swire
275 Middlefield Road
Menlo Park, California 94025
(650) 324-7137

