

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513**

Mailed: August 25, 2004

Applicant: EBSCO Industries, Inc.  
Serial No.: 78243457  
Filed: 04/29/2003  
Mark: BOOYAH

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**Tracey Fleming, Legal Assistant.**

The Official Gazette publication date is 3/16/04 not 7/6/04 as stated in this extension request.

A review of the file in this case reveals that on 4/15/04 potential opposer herein, Michael P. Romero d/b/a Booyaa Clothing Company, was granted an extension of time to 7/14/04 in which to file a notice of opposition.

On 7/15/04, potential opposer filed a notice of opposition. An answer to the notice of opposition is due 8/31/04.

On 7/26/04, potential opposer filed a request for a further extension of time to oppose.

Counsel's attention is directed to Section 13, as amended effective February 27, 1983 wherein it is indicated that ". . . Upon written request prior to the expiration of the thirty-day period, the time for filing opposition shall be extended for an additional thirty days, and further extension of time for filing opposition may be granted by the Commissioner for good cause when requested prior to the expiration of an extension. . . ." (emphasis added)

While the subject request was accompanied by a certificate of mailing, it is dated 7/23/04, a time subsequent to the expiration of the extended period. In view thereof, the request for additional time to oppose is denied.

