

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

Mailed: May 5, 2004

Applicant: The Fralix Group, Inc.
Serial No.: 78244228
Filed: 05/01/2003
Mark: INSPIRING POSITIVE CHANGE

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A review of the file in this case reveals that on March 22, 2004, potential opposer herein, Lifestyle Improvement Centers LLC dba Positive Changes Hypnosis Centers, was granted an extension of time until **04/24/2004** in which to file a notice of opposition.

On April 29, 2004, potential opposer filed a request for a further extension of time to oppose that was untimely.

Counsel's attention is directed to Section 13 of the Act of 1946, 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)

Accordingly, since the request was filed on April 29, 2004, five-days outside the previously extended period, **the request is denied.**¹

¹ The request for further extension of time filed on April 29, 2004 by potential opposer did not include a certificate of mailing and/or any other proof of timely filing.