

ESTTA Tracking number: **ESTTA43064**

Filing date: **08/24/2005**

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

Applicant: **EASTBAY, INC.**
Application Serial Number: **78308367**
Application Filing Date: **10/02/2003**
Mark: **THE EXTRA MILE**
Date of Publication **04/26/2005**

60 Day Request for Extension of Time to Oppose Upon Consent

Pursuant to 37 C.F.R. Section 2.102, The Extra Mile, Inc., 336 King Street, Charleston, SC29401, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark with applicant's consent.

The time within which to file a notice of opposition is set to expire on 08/24/2005. The Extra Mile, Inc.. respectfully requests that the time period within which to file an opposition be extended until 10/23/2005.

Respectfully submitted,
/John C. McElwaine/
08/24/2005

John McElwaine

Nelson Mullins Riley Scarborough, LLP

151 Meeting Street, Ste. 600

Charleston, SC29401

UNITED STATES

john.mcelwaine@nelsonmullins.com

843-720-4302