

TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: August 28, 2007

Applicant: LIFESOURCE WATER SYSTEMS, INC.
Serial No.: **78896688**
Filed: 5/31/06
Mark: WHOLE-HOUSE WATER SYSTEM

Jonathan M. Gordon
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Rochelle Ricks, Paralegal Specialist:

The request for a 30 day- one month extension of time to oppose filed August 22, 2007, on behalf of Kinetico Incorporated, is noted. The requested extension of time is not in accordance with the Trademark Rules as amended. The rules, as amended, specifically provide that an extension will be granted for specific amounts of time. No extension can be granted for times other than those delineated in the rules as indicated below.

Extensions of time to oppose may be granted only as provided in Trademark Rule 2.102:¹

(c) The time for filing an opposition shall not be extended beyond 180 days from the date of publication. Any request to extend the time for filing an opposition must be filed before thirty days have expired from the date of publication or before the expiration of a previously granted extension of time, as appropriate. Requests to extend the time for filing an opposition must be filed as follows:

(1) A person may file a first request for either a thirty-day extension of time, which will be granted

¹ Trademark Rule 2.102 was recently amended. See, Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. Reg. 55,748 (Sept. 26, 2003). The amended rule applies to any potential opposer which filed its first extension of time against a particular application on or after November 2, 2003. *Id.*



09-10-2007

upon request, or a ninety-day extension of time, which will be granted only for good cause shown.

(2) If a person was granted a thirty-day extension of time, that person may file a request for an additional sixty-day extension of time, which will be granted only for good cause shown.

(3) After receiving one or two extensions of time totaling ninety days, a person may file one final request for an extension of time for an additional sixty days. The Board will grant this request only upon written consent or stipulation signed by the applicant or its authorized representative, or a written request by the potential opposer or its authorized representative stating that the applicant or its authorize representative has consented to the request, or a showing of extraordinary circumstances. No further extensions of time to file an opposition will be granted under any circumstances.

Because potential opposer's extension request includes applicant's written consent, along with a showing of extraordinary cause, its request is granted to the extent that potential opposer Kinetico Incorporated is allowed until October 28, 2007 in which to file an opposition. No further extensions will be permitted.

Note that the Board will not suspend the time for filing a notice of opposition for any reason. TBMP § 209.01 (2d ed. June 2003).

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TTAB



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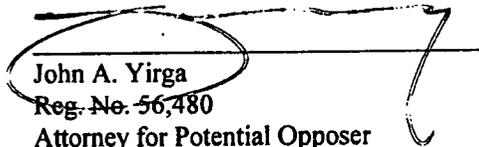
<p>EXPRESS MAIL LABEL NO: <u>EB 9187984705</u></p> <p>I hereby certify that this paper is being deposited today with the U.S. Postal Service as Express Mail addressed the: Commissioner for Trademarks, Attention T.T.A.B. P.O. Box 1451, Alexandria, VA 22313-1451</p> <p>On: <u>August 21, 2007</u></p> <p>By: <u>John A. Yirga</u></p>
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Dear Sir/Madam:

Enclosed please find a Stipulation for Extension of Time to Oppose in the matter of trademark application serial no.: 78/896,688 for the mark WHOLE-HOUSE WATER SYSTEM, published in the Official Gazette on May 1, 2007. The Stipulation requests an additional 30 days with good cause.

Potential Opposer believes there is no fee associated with the Stipulation for Extension of Time to Oppose, however authorization is hereby granted to charge any additional necessary fees or credit any overpayment to Deposit Account No. 20-0090.

Respectfully submitted,


John A. Yirga
Reg. No. 56,480
Attorney for Potential Opposer
KINETICO INCORPORATED

Encls.



08-22-2007

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

In the matter of trademark application Serial No. 78/896,688 for the mark
WHOLE-HOUSE WATER SYSTEM, published in the Official Gazette on May 1, 2007

KINETICO INCORPORATED

Potential Opposer,

v.

LIFESOURCE WATER SYSTEMS, INC.

Applicant.

Opposition No. _____

Serial No. 78/896,688

**STIPULATION FOR EXTENSION
OF TIME TO OPPOSE**

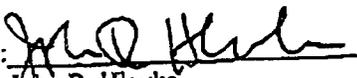
IT IS HEREBY STIPULATED AND AGREED by and between the parties that
Potential Opposer's time for filing a Notice of Opposition against the above-identified mark be
extended for thirty (30) days, through and including September 29, 2007.

IT IS FURTHER STIPULATED AND AGREED by and between parties that more
time is needed in an attempt to reach a possible settlement agreement.

IT IS FURTHER STIPULATED AND AGREED that an executed fax or photocopy of
this Stipulation shall have the same force and effect as an executed original thereof.

Date: August 20, 2007

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United States Patent and Trademark Office

Commissioner for Trademarks

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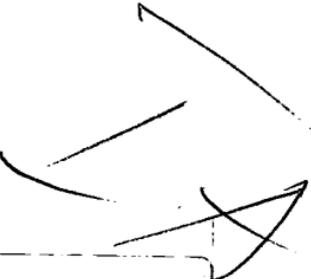
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78896688

JONATHAN M. GORDON
WESTON, BENSHOOF, ROCHEFORT
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