

ESTTA Tracking number: **ESTTA264921**

Filing date: **02/05/2009**

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

Applicant:	<b>Max Frank GmbH &amp; Co. KG</b>
Application Serial Number:	<b>79049339</b>
Application Filing Date:	<b>03/07/2007</b>
Mark:	<b>FRANK</b>
Date of Publication	<b>01/13/2009</b>

## **First 90 Day Request for Extension of Time to Oppose for Good Cause**

Pursuant to 37 C.F.R. Section 2.102, Niro-Plan AG, Franke-Strasse 2, Aarburg, CH-4663, SWITZERLAND, a Societe anonyme, organized under the laws of Switzerland, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown.

Potential opposer believes that good causes are established for this request by:

- The potential opposer needs additional time to investigate the claim
- The potential opposer needs additional time to confer with counsel

The time within which to file a notice of opposition is set to expire on 02/12/2009. Niro-Plan AG respectfully requests that the time period within which to file an opposition be extended until 05/13/2009.

Respectfully submitted,  
/Laura A. Genovese/  
02/05/2009

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