

ESTTA Tracking number: **ESTTA415761**

Filing date: **06/22/2011**

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

Applicants:	<b>Kirk Seubert James Spencer</b>
Application Serial Number:	<b>85217060</b>
Application Filing Date:	<b>01/13/2011</b>
Mark:	<b>ACTRX</b>
Date of Publication	<b>05/24/2011</b>

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

Pursuant to 37 C.F.R. Section 2.102, HEB Grocery Company, 646 South Main, San Antonio, TX 78204, UNITED STATES, a partnership, composed of HEBCO GP, L.L.C., a limited liability company under the laws of Texas, 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 cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 06/23/2011. HEB Grocery Company respectfully requests that the time period within which to file an opposition be extended until 09/21/2011.

Respectfully submitted,

/SLE/

06/22/2011

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