



02-20-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #01

TTAB

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

----- )  
METAGENICS, INC. )  
 )  
Petitioner, )  
 )  
v. )  
 )  
ALLTECH, INC. )  
 )  
Respondent. )  
----- )

Opposition No. 91154336  
Serial No. 76381236

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

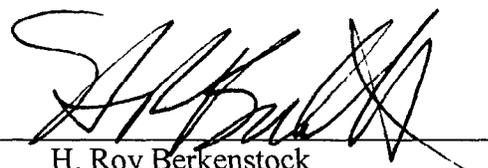
BOX TTAB

STIPULATION FOR FIRST EXTENSION OF TIME

It is hereby stipulated between the parties, that Trademark Trial and Appeal Board consenting, that the time for answer and discovery period and all testimony periods in the above-identified proceeding be extended two (2) months, and that all dates be recalendared and moved forward by two months according to Schedule A attached.

This Stipulation was assented to by Dennis H. Cavanaugh, counsel for Opposer, Metagenics, Inc., on February 11, 2003.

WYATT, TARRANT & COMBS, LLP

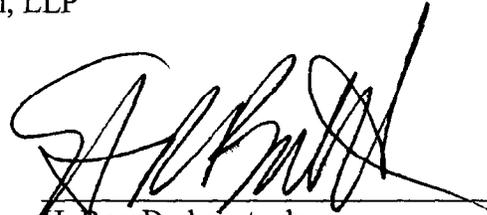
By 

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CERTIFICATE OF SERVICE

I, H. Roy Berkenstock, an attorney in the law firm of Wyatt, Tarrant & Combs, LLP, hereby certify that a copy of the foregoing "STIPULATION FOR FIRST EXTENSION OF TIME" was mailed, postage prepaid, first class mail, this 13<sup>th</sup> day of February, 2003, to the following attorney for the Opposer, Metagencis. Inc.:

Dennis H. Cavanaugh, Esq.  
Ullman, Shapior & Ullman, LLP  
299 Broadway, Suite 1700  
New York, NY 10007



H. Roy Berkenstock

SCHEDULE A

The date the Answer is due	April 19, 2003 (two months)
The period for Discovery to open	March 30, 2003 (two months)
The period for Discovery to close	September 29, 2003 (two months)
Testimony period for party in position of Plaintiff to close (opening thirty days prior thereto)	December 27, 2003 (two months)
Testimony period for party in position of Defendant to close (opening thirty days prior thereto)	February 26, 2004 (two months)
Rebuttal testimony period to close (opening fifteen days prior thereto)	April 9, 2004 (two months)