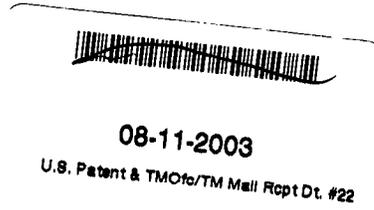


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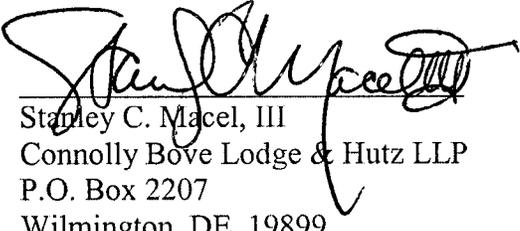
BOX TTAB - NO FEE

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

Performance Health, Inc. and,	:	
Biofreeze Associates	:	
	:	Opposition No. 91156244
Opposers,	:	
	:	Application Serial No. 78/137,603
v.	:	
	:	Published: January 7, 2003
Bayer Aktiengesellschaft	:	
	:	Attorney Docket No. 1426*1112
Applicant.	:	

**CONSENTED TO MOTION TO EXTEND TIME  
 TO RESPOND TO THE NOTICE OF OPPOSITION**

Bayer Aktiengesellschaft, applicant in the above captioned opposition hereby requests, subject to the approval of the Board, an additional 30 day extension of time to file its Response to the Notice of Opposition. The new due date for the Response will be September 17, 2003. This delay is to allow the parties to continue settlement discussions and was consented to by Kent E. Baldauf, Jr., one of the attorneys for opposers during a telephone conversation on August 11, 2003.

Respectfully submitted,  
  
 Stanley C. Macel, III  
 Connolly Bove Lodge & Hutz LLP  
 P.O. Box 2207  
 Wilmington, DE 19899  
 (302) 658-9141  
 Attorneys for Applicant

Dated: August 11, 2003

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08/22/2003TTAB

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of August, 2003, I caused the original and one copy of the foregoing **CONSENTED TO MOTION TO EXTEND TIME TO RESPOND TO THE NOTICE OF OPPOSITION** to be deposited with the United States Post Office as Express Mail, addressed to BOX TTAB-NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 and to be served upon the following counsel in the manner indicated:

**By U.S. First Class Mail**

Kent E. Baldauf, Esq.  
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