

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Baxley

Mailed: July 23, 2004

Opposition No. **91160997**

Ace Duraflo Systems, LLC

v.

Curaflo Technologies Inc.

**Andrew P. Baxley, Interlocutory Attorney:**

On July 16, 2004, applicant's attorney filed a letter with the Board which stated that he will be out of his office until August 23, 2004 and which asks that the Board extend applicant's time to respond to the notice of opposition by an unspecified length.

The Board construes applicant's letter as a motion to extend time to respond to the notice of opposition. See Trademark Rule 2.127(a); TBMP Section 509.01. A review of the letter, however, indicates that it does not include proof of service upon opposer as is required by Trademark Rule 2.119(a). In the interest of expediting this matter, a copy of the letter is enclosed with opposer's copy of this order.<sup>1</sup>

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<sup>1</sup> Applicant is advised that any further papers that are filed without acceptable proof of service will receive no consideration. See Trademark Rule 2.119(a).

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Opposer is allowed until **twenty days** from the mailing date of this order to file a brief in opposition to the motion to extend time to answer, failing which the motion will be granted as conceded. See Trademark Rule 2.127(a); TBMP Section 312.02.

Discovery and trial dates remain as set.