



- 177113

11-22-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #73

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

Trademark Application

Serial No. : 75/862,318
 Filed : December 2, 1999
 Published : October 1, 2002
 Applicant : Nutri Pharma ASA
 Mark : ABACOR and Design
 International Class : 5, 29, 30, 32

02 DEC -4 PM 9:30
 TRADEMARK TRIAL AND APPEAL BOARD

SECOND REQUEST FOR EXTENSION
OF TIME TO FILE OPPOSITION

Pursuant to 15 U.S.C. § 1063 (Lanham Act § 13) and Trademark Rule 2.102, request is hereby made for a thirty (30) day extension of time within which a Notice of Opposition may be filed with respect to the above-identified application. This request is made on behalf of the prospective opposer:

Kos Pharmaceuticals, Inc.
 1001 Brickell Bay Drive
 25th Floor
 Miami, Florida 33131

The time within which a Notice of Opposition must be filed presently expires on November 30, 2002. If this request is granted, the time within which the prospective opposer may file a Notice of Opposition would be extended to and include December 30, 2002.

The additional time is needed to enable the prospective opposer to investigate the facts to determine whether an opposition is warranted. Thus, the foregoing request is made in good faith and not for purposes of delay and is being submitted in triplicate in accordance with Trademark Rule 2.102(d).

Respectfully submitted,

FISH & NEAVE

Dated: November 19, 2002

By *Susan Progoff*
Susan Progoff
Kristen L. Fancher

1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000

Attorneys for Prospective
Opposer, Kos Pharmaceuticals,
Inc.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date which appears below:

Carmen Paton
Name

Nov. 19, 2002
Date of the Signature and Deposit