

Tab

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

In The Matter of Application:

Serial No. 75/945,314 DURALAST

Published in the Official Gazette of
August 14, 2001, at TM 46 in
International Classes 22 and 24

DURO-LAST, INC

Potential Opposer,

v.
Foss Manufacturing Company, Inc.

Applicant.

) EXPRESS MAIL Mailing Label No. EL670072411US
) Date of Deposit September 6, 2002
) I hereby certify that this paper is
) being deposited with the United States
) Postal Service under 37 CFR 1.10 on the
) date indicated above and is addressed to
) the Commissioner for Trademarks,
) 2900 Crystal Drive, Arlington, Virginia
) 22202-3513.

John M. Chamberlin

Commissioner for Trademarks
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

September 6, 2002

NINTH REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION

Potential opposer, DURO-LAST, INC., requests that the time for filing an opposition to the registration of the above identified DURALAST mark be extended two (2) months to November 8, 2002, pursuant to 37 C.F.R. 2.102.

The extension is necessary in order for Duro-Last, Inc. to evaluate the necessity of filing a Notice of Opposition. The parties have agreed upon a modified product description and counsel for applicant has approved this request for an extension of time.

This request is submitted in triplicate.

Respectfully submitted,

John F. Learman

John F. Learman
Registration No. 17,069
5291 Colony Drive North
Saginaw, Michigan 48603
(989) 799-5300