

CERTIFICATE OF MAILING


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO **BOX TTAB, NO FEE, ASSISTANT COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3513**, ON JANUARY 17, 2003.

NAME: KIMBERLY FLAHERTY

SIGNATURE: Kimberly Flaherty

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

In the Matter of		
Serial No.	:	76/072,712
Applicant	:	Xenogen Corporation
Publication Date	:	December 25, 2001
Mark	:	XENOGEN
Classes	:	35, 37 and 42



01-22-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #76

Box TTAB, NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

**EIGHTH REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Dear Sir or Madam:

Xenotech, Inc., a Delaware corporation having its principal place of business at 6701 Kaiser Drive, Fremont, CA 94555, by and through its attorneys, hereby requests that the Board grant a thirty (30) day extension of time to file a Notice of Opposition, through February 18, 2003, in the above-identified matter.

The extension is necessary in order for Xenotech, Inc. to investigate and evaluate the necessity of filing a Notice of Opposition and is not made for the purpose of delay.

Stephanie K. Wade, counsel for Applicant, granted consent to this extension in an e-mail message to Todd E. Adler of Heller Ehrman White & McAuliffe LLP on January 17, 2003.

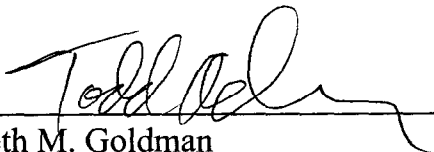
This request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Dated: January 17, 2003

Respectfully submitted,

HELLER EHRMAN WHITE & McAULIFFE LLP

By:



A handwritten signature in black ink, appearing to read "Todd Adler", is written over a horizontal line.

Beth M. Goldman
Todd E. Adler
333 Bush Street
San Francisco, CA 94104-2878
(415) 772-6881

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing EIGHTH REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION upon Applicant's counsel by depositing one copy thereof in a sealed envelope in the United States mail, first-class, on January 17, 2003, addressed as follows:

Stephanie K. Wade, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street NW
Washington, DC 20037


Dated: January 17, 2003



Kimberly Flaherty

TTAB

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

In the Matter of Serial No.	: 76/072,712	 01-22-2003 U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70
Applicant	: Xenogen Corporation	
Publication Date	: December 25, 2001	
Mark	: XENOGEN	
Classes	: 35, 37 and 42	

Box TTAB, NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

03 JAN 29 AM 9:31

TRANSMITTAL LETTER

Dear Sir or Madam:


We are attorneys representing Xenotech, Inc. Enclosed are an original and two copies of an **Eighth Request for Extension of Time To File Notice of Opposition** filed by Xenotech, Inc.

Please address all correspondence to me at the address below. Please stamp the enclosed self-addressed postcard to evidence your receipt of this document.

Dated: January 17, 2003

Respectfully submitted,

HELLER EHRMAN WHITE & McAULIFFE LLP

By: 

Beth M. Goldman
Todd E. Adler
333 Bush Street
San Francisco, CA 94104-2878
(415) 772-6881

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