

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

Mailed: January 16, 2004

Applicant: Xenogen Corporation
Serial No.: 76072712
Filed: 06/20/2000
Mark: XENOGEN

Beth M. Goldman
HELLER EHRMAN WHITE & McAULIFFE LLP
333 BUSH STREET
SAN FRANCISCO, CA 94104-2878

HAROLD ROSS, LEGAL ASSISTANT:

The request for further extension of time to oppose filed January 9, 2004 on behalf of Xenotech, Inc., is noted.

The record in the application file reveals that the mark was published for opposition purposes on December 25, 2001. Since that time, potential opposer has been granted 16 extensions of time to oppose, totalling approximately 26 months, in which to oppose. It would appear that more than enough time has been allowed for this purpose.

Nevertheless, in order to assist the parties in reaching an accord, the instant request is granted. Accordingly, Xenotech, Inc. is allowed until **4/13/04** in which to oppose the registration sought by applicant.

However, in the absence of a showing of extraordinary circumstances, no further extension of time will be approved.