


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 JUNE 19, 2002.


06-24-2002
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #70

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. : 76/072712	
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

**FOURTH 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 sixty (60) day extension of time to file a Notice of Opposition, through August 22, 2002, 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 a telephone conversation with Beth M. Goldman of Heller Ehrman White & McAuliffe LLP on June 19, 2002.

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

Dated: June 19, 2002

Respectfully submitted,

HELLER EHRMAN WHITE & McAULIFFE LLP

By: 
Beth M. Goldman
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 FOURTH 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 June 19, 2002, addressed as follows:

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

Dated: June 19, 2002




Kimberly Flaherty

TTAB

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TRADEMARK TRIAL AND
APPEAL BOARD
02 JUL -2 AM 8:33

TRANSMITTAL LETTER

Dear Sir or Madam:

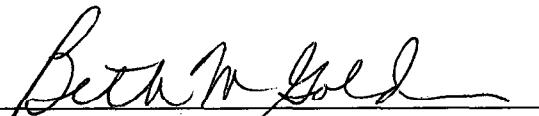
We are attorneys representing Xenotech, Inc. Enclosed are an original and two copies of a **Fourth Request for Extension of Time To File Notice of Opposition** filed by Xenotech, Inc.

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: June 19, 2002

Respectfully submitted,

HELLER EHRMAN WHITE & McAULIFFE LLP

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Beth M. Goldman
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