

TTAB

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



Mark: BANISH )  
Serial No.: 76/377,350 )  
Filed: March 1, 2002 )  
Published: September 2, 2003 )  
Applicant: Cigone Enterprises, Inc. )  
Potential Opposer: Smith & Nephew, Inc. )

09-22-2003  
U.S. Patent & TMO/TM Mail Rpt Dt. #79

**FIRST REQUEST FOR EXTENSION OF TIME  
FOR FILING NOTICE OF OPPOSITION**

To: Box TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

Smith & Nephew, Inc., Potential Opposer, respectfully requests that the time for filing opposition to the above-identified application be extended for a period of sixty (60) days, i.e., through and including December 2, 2003, in accordance with Section 13 of the Trademark Act of 1946 and Rule 2.102(b) of the Trademark Rules of Practice.

Potential Opposer is investigating Applicant's use of the trademark applied for and other factors bearing upon the question of likelihood of confusion with Potential Opposer and its products to determine the advisability of instituting formal opposition proceedings against the above-identified application. To complete the investigation and to allow Potential

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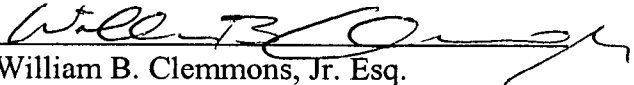
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Opposer's counsel and management time to confer regarding these matters, an additional period of sixty (60) days is required.

Respectfully submitted,

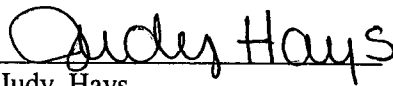
**SMITH & NEPHEW, INC.**

Dated: September 18, 2003

By:   
William B. Clemmons, Jr. Esq.  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on September 18, 2003.

  
Judy Hays