

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

Trademark Application

Serial No. : 76/469090
Filed : November 22, 2002
Published : July 29, 2003 (O.G. Vol.1272, Number 5)
Applicant : Martin M. Horowitz
Mark : BON SOLEIL
International Classes : 3



10-21-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

REQUEST FOR FURTHER EXTENSION OF
TIME TO FILE OPPOSITION

In addition to the extension of time previously granted, it is respectfully requested that the time for filing a Notice of Opposition against the above-identified application be extended an additional thirty (30) days, pursuant to the provisions of Section 13 of the Trademark Act of 1946 and Rule 2.102(c) of the Rules of Practice in Trademark Cases, to and including November 26, 2003 for the reasons set forth herein. Granting this extension will not exceed 120 days from publication of the application. This request is made on behalf of the prospective Opposer, The Bain De Soleil Company, Inc. of 4300 West Cypress Street, Suite 1060, Tampa Florida 33607, and on behalf of its affiliated and related companies.

Petitioner has been unable to secure the necessary information pertaining to the above trademark in the time allotted; hence, further investigation is necessary in order to evaluate the necessity of filing a Notice of Opposition.

WHEREFORE, it is respectfully requested that this extension be granted.

Please address all communications in response to this request to said Corporation's attorney, Charles H. Oppenheimer, at the address designated below.

The foregoing request is made in good faith and not for the purposes of delay and is being submitted in triplicate in accordance with Trademark Rule 2.102(d).

Dated: October 21, 2003

Respectfully submitted,

The Bain De Soleil Company, Inc.

By: 

Charles H. Oppenheimer
Attorney for Petitioner
Schering-Plough Corporation
2000 Galloping Hill Road
K-6-1 Mailstop 1030
Law Department
Kenilworth, NJ 07033

Certificate of Express Mail:

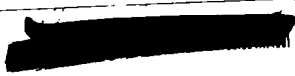
I, Phyllis Richey, do hereby certify that the foregoing documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

on this date of October 21, 2003.


Signature

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Schering-Plough

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TTAB

October 21, 2003

VIA EXPRESS MAIL

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Re: Request for Further Extension of Time to
File Notice of Opposition

Dear Sir:

On behalf of The Bain De Soleil Company, Inc., enclosed herewith is an original and two copies of a Request for Further Extension of Time to file a Notice of Opposition in the matter of Trademark Application No. 76/469090 BON SOLEIL filed on November 22, 2002 in the name of Martin M. Horowitz.

We also enclosed a stamped, self-addressed postcard for acknowledging receipt of said request.

Respectfully submitted,

Charles H. Oppenheimer
Legal Director
Trademarks & Copyrights

CHO:mq
Enclosures