

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

In re application of: )  
LANGER, INC. )  
Serial No.: 76/524496 )  
Filed: June 23, 2003 )  
Mark: L.XCEL )  
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Published: April 13, 2004  
at Page TM 253



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

06-14-2004  
U.S. Patent & TMOtc/TM Mail Rcpt Dt. #66

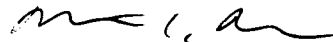
**REQUEST FOR SECOND EXTENSION  
OF TIME TO FILE NOTICE OF OPPOSITION**

EDMONT P. D'ASCOLI, Trustee of the EDMONT P. D'ASCOLI REVOCABLE LIVING TRUST DATED MAY 24, 1996, whose mailing address is 66-590 Kamehameha Highway, Haleiwa, Hawaii 96712, by and through his attorneys, Cades Schutte A Limited Liability Law Partnership, respectfully requests that the Board grant a sixty (60) day extension of time to file a Notice of Opposition in the above-identified matter from June 12, 2004, to and including August 11, 2004. On May 17, 2004, the Board granted a first request to extend the time to file a Notice of Opposition from May 13, 2004, to and including June 12, 2004.

This second extension of time is necessary to give the prospective opposer additional time to investigate and evaluate the necessity of filing a Notice of Opposition.

This request is made in accordance with Section 13 of the Trademark Act of 1946 and in compliance with Trademark Rule 2.102, and is not being filed for the purpose of mere delay. Favorable consideration is respectfully requested.

Respectfully submitted,



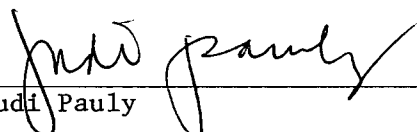
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the EDMONT P. D'ASCOLI REVOCABLE  
LIVING TRUST DATED MAY 24, 1996

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this REQUEST FOR SECOND EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on this 10th day of June, 2004.



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Judi Pauly