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**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)

Published: April 13, 2004
at Page TM 253

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

**REQUEST FOR LAST EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION WITH CONSENT**

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 August 11, 2004, to and including October 10, 2004. On June 18, 2004, the Board granted a second request to extend the time to file a Notice of Opposition from June 12, 2004, to and including August 11, 2004.

This extension of time is necessary to allow the parties additional time to negotiate a mutually acceptable settlement agreement, which negotiations are already taking place.

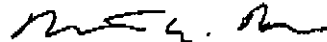
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Counsel for Applicant, Harold James, Esq., of Epstein Drangel Bazerman & James LLP,
by his execution hereof, does hereby consent to this extension request.

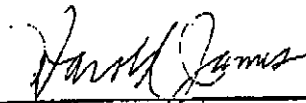
This request is made in accordance with Section 13 of the Trademark Act of 1946 and in
compliance with Trademark Rule 2.102, and is not being filed for the purpose of mere delay.
Favorable consideration is respectfully requested.

Respectfully submitted,



Martin E. Hsia, Reg. No. 32,471
CADES SCHUTTE
A Limited Liability Law Partnership
P.O. Box 939
Honolulu, HI 96808
Tel: (808) 521-9200

Attorney for EDMONT P. D'ASCOLI, Trustee of
the EDMONT P. D'ASCOLI REVOCABLE
LIVING TRUST DATED MAY 24, 1996

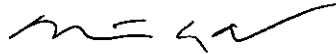


Harold James, Esq.
Epstein Drangel Bazerman & James LLP
60 East 42nd Street, Suite 820
New York, New York 10165

Attorney for Applicant LANGER, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this REQUEST FOR LAST EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION WITH CONSENT was mailed this 11 day of August, 2004, to: Harold James, Esq., Epstein Drangel Bazerman & James LLP, 60 East 42nd Street, Suite 820, New York, New York 10165.



Martin E. Hsia

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this REQUEST FOR LAST EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION WITH CONSENT 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 11 day of August, 2004.



Martin E. Hsia