

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Robert L. Brewer  
Bass, Berry & Sims PLC  
315 Deaderick Street Suite 2700  
Nashville, TN 37238

**Mailed: May 6, 2008**

**Serial No.: 77241987**  
**ESTTA TRACKING NO: ESTTA209399**

The request to extend time to oppose is granted until  
**6/7/2008** on behalf of potential opposer **Healthways, Inc.**

Please do not hesitate to contact the Trademark Trial and  
Appeal Board at (571)272-8500 if you have any questions  
relating to this extension.

**New Developments at the Trademark Trial and Appeal Board**

TTAB forms for electronic filing of extensions of time to  
oppose, notices of opposition, petition for cancellation, notice  
of ex parte appeal, and inter partes filings are now available  
at <http://estta.uspto.gov>. Images of TTAB proceeding files can  
be viewed using TTABVue at <http://ttabvue.uspto.gov>.

**TRADEMARK TRIAL AND APPEAL BOARD RULE CHANGES**

The USPTO has issued new rules pertaining to TTAB  
proceedings. Parties are urged to familiarize themselves  
with the new rules.

Among other changes, for any notice of opposition filed on  
or after November 1, 2007, the new rules require an opposer  
to provide proof of service of the notice of opposition  
upon the applicant at the time the notice of opposition is  
filed. Trademark Rule 2.101. (Parallel amendments to  
Trademark Rule 2.111 require a petitioner to include proof  
of service of the petition for cancellation.) Service may  
be made by any of the means set out in Trademark Rule

2.119(b). A certificate of service is adequate proof of service; service by a process server is not necessary. A notice of opposition (or petition for cancellation) filed without a certificate of service will not be instituted.

The notice of final rulemaking and a chart summarizing the changes contained in the notice are available for viewing on the TTAB web page:

[www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf)

[www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)