

ESTTA Tracking number: **ESTTA312855**

Filing date: **10/22/2009**

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

Applicant:	<b>The Hartz Mountain Corporation</b>
Application Serial Number:	<b>77548424</b>
Application Filing Date:	<b>08/15/2008</b>
Mark:	<b>HARTZ NODOR</b>
Date of Publication	<b>10/06/2009</b>

## **First 90 Day Request for Extension of Time to Oppose for Good Cause**

Pursuant to 37 C.F.R. Section 2.102, SWIMC, Inc., PO Box 657, Newark, DE 19715, UNITED STATES, a corporation organized under the laws of Delaware, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown.

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 11/05/2009. SWIMC, Inc. respectfully requests that the time period within which to file an opposition be extended until 02/03/2010.

Respectfully submitted,  
/Arthi K. Tirey/  
10/22/2009

**Arthi K. Tirey, Reg. No. 50,960**

**c/o The Sherwin-Williams Company**

**101 W. Prospect Avenue 1100 Midland Bldg. - Legal Dept.**

**Cleveland, OH 44115**

**UNITED STATES**

**legal\_ip@sherwin.com**

**2165663650**