


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

Applicant: Elmwood Design Limited
Serial No.: 78/003,794
Filed: April 12, 2000
Published: May 28, 2002
Mark: THERE IS NO FINISH LINE....


04-16-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Consented Request for Extension of Time to File Notice of Opposition

Box TTAB
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Dear Sir or Madam:

Pursuant to Trademark Rule 2.102, Spike's Holding, Inc., 300 Delaware Avenue, 9th Floor, Wilmington, Delaware, 19801, potential Opposer herein, through its authorized attorneys, requests an additional thirty (30) day extension of time within which to oppose the above-identified application for the mark THERE IS NO FINISH LINE..... This mark was published for opposition in the *Official Gazette* of the United States Patent and Trademark Office on May 28, 2002 as serial number 78/003,794 for the following goods and services:

Printed matter, namely, notepads; printed publications, namely, books, instruction manuals, information sheets, prompt cards and magazines in the fields of graphic arts, design and packaging and product design; and writing instruments, namely, pens, pencils, ball point pens and felt tip pens in Class 16;

Advertising services on behalf of third parties, namely, preparing advertising for others and preparing audio-visual presentations for use in advertising; business management consultation services; creating trademarks and company images for others; market research services; and providing information in the field of marketing and branding in Class 35;

Arranging and conducting educational conferences and seminars in the field of marketing and branding in Class 41; and

Packaging and product design services for others; interior decorating services; graphic arts design services; and providing on-line publications, namely, books,

instruction manuals, information sheets, and magazines in the fields of graphic arts design and packaging and product design in Class 42.

The opposition period currently expires on April 23, 2003, and potential Opposer requests that an additional 30-day extension be granted extending the deadline up to and including May 23, 2003. The extension of time is needed because the parties are still in negotiations that they believe will conclude this matter. This request is made in good faith and not for purposes of delay.

The Applicant consented to this extension by and through its attorney, Edward M. Prince, of Alston & Byrd LLP, 601 Pennsylvania Avenue, N.W., North Building, 11th Floor, Washington, D.C., 20004-2601. Favorable consideration of this request by the Trademark Trial and Appeal Board is therefore solicited.

This Consented Request for Extension of Time is being filed in triplicate.

Dated: April 16, 2003.

Respectfully submitted,

GIBSON, DUNN & CRUTCHER, LLP



Scott A. Edelman

Michael S. Adler

2029 Century Park East, Suite 4000

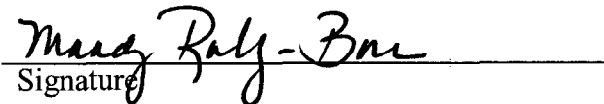
Los Angeles, CA 90067-3026

Telephone: (310) 552-8500

ATTORNEYS FOR SPIKE'S HOLDING, INC.

CERTIFICATE OF EXPRESS MAILING 37 CFR. §1.10

I, Mandy Robertson-Bora, do hereby certify that on April 16, 2003, the foregoing documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to Box TTAB, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on the date indicated below.



Signature

EE588593327US

Express Mail Label Number

GIBSON, DUNN & CRUTCHER LLP
LAWYERS

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

2029 Century Park East Los Angeles, California 90067-3026

(310) 552-8500

www.gibsondunn.com

arobertsonbora@gibsondunn.com

April 16, 2003

TTAB

04-16-2003

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

Direct Dial

(310) 551-8755

Fax No.

(310) 552-7031

Client No.

C 88777-00001

VIA EXPRESS MAIL

Box TTAB

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3513

Re: *Request for Extension of Time to File Notice of Opposition*
THERE IS NO FINISH LINE Application Serial No. 78/003794

Dear Sir or Madam:

Enclosed for filing on behalf of Spike's Holding, Inc., a Delaware corporation, are one original and two copies of a consented Request Under Rule 2.102 for Extension of Time to File Notice of Opposition with respect to the mark "THERE IS NO FINISH LINE...", Serial No. 78/003794, applied for by Elmwood Design Limited in Int'l Classes 16, 35, 41 and 42.

Sincerely,

Mandy Robertson-Bora

Mandy Robertson-Bora
Senior Paralegal

MHR/mhr
Attachment(s)

cc: Edward M. Prince, Esq.
Michael S. Adler, Esq.

20156157_1.DOC