

TRADEMARK

Attorney Docket No. G26,581

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

In re application of: Schur In-Process Handels Verwaltungs GmbH  
Federal Republic of Germany

Mark: DELTA-BIOSCIENCE

Serial No.: 78-040,442

Filed: December 22, 2000

Publication Date: November 19, 2002



08-27-2003

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

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV287633070US addressed to Box TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on August 27, 2003

Dated:

August 27, 2003

Denise M. Porreca  
Denise M. Porreca

Box TTAB NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

STIPULATED REQUEST FOR FURTHER  
EXTENSION OF TIME TO RESPOND TO OPPOSITION

Dear Sir:

In the matter of the above-identified trademark application, which was published in the Official Gazette on **November 19, 2002** at **pages 207-208** (copy enclosed), Delta Biotechnology Ltd., by and through its attorneys, hereby requests that the time within which to file an opposition be extended for an additional period of sixty (60) days, to and including **November 16, 2003**.

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The Trademark Trial and Appeal Board has required a detailed explanation to warrant the granting of a further extension. The potential opposer's European counsel has presented the Applicant's European counsel with a draft settlement agreement, and Applicant's European counsel in turn has requested minor modifications thereto. It is noted that the proposed agreement encompasses use and registration of the mark in the present application worldwide. The parties will endeavor to conclude negotiations and execute the settlement agreement before November 16, 2003.

Peter M. Ferrell III, counsel for Applicant, indicated Applicant's consent to this Request for Extension by telephone conference on August 26, 2003.

The required Certificate of Service is enclosed.

No fees are required in connection with this Request.

This request is being submitted in triplicate, as required by 37 C.F.R. §2.102(d).

Respectfully submitted,

August 27, 2003

Date

Bryna S. Silver

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CERTIFICATE OF SERVICE

I, Denise M. Porreca, hereby certify that on the date set forth below I caused to be served a true and correct copy of the foregoing **Stipulated Request for Extension of Time to File a Notice of Opposition** via First Class Mail upon the following:

Peter M. Ferrell III, Esquire  
Eileen T. Brown Associates LLC  
Trademark Management Services  
90 Crystal Run Road, Suite 401  
Middletown, NY 10941

Dated: August 27, 2003

Denise M. Porreca  
Denise M. Porreca, Paralegal  
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1101 Market Street  
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