

Attorney Ref.: D-0378

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

In re the matter of:

Applicant: Jarrow Formulas, Inc.

Application Serial No.: 78/059,930

Filed: April 23, 2001

Publication date: April 2, 2002

Mark: HYDORXY APATITE MEANS CALCI-YUM-YUM and Design

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

Sir:

**REQUEST FOR EXTENSION OF TIME TO OPPOSE**

Smithkline Beecham Corporation, a Pennsylvania corporation with a business address of 709 Swedeland Road UW2221, King of Prussia, Pennsylvania 19406, hereby requests a thirty day extension of time in which to oppose registration of the above-identified mark. When granted, the due date for filing an opposition will be extended to **February 26, 2003**.

As grounds in support of this Request for Extension of Time to Oppose, prospective Opposer states that counsel for prospective Opposer has contacted Applicant's attorney in an effort to determine whether or not an opposition can be avoided. Additional time is needed to determine whether an amicable settlement is possible.

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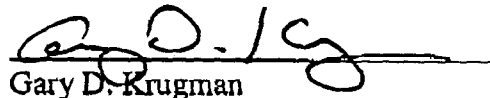
In view of the foregoing, it is respectfully requested that this Request for Extension of Time be granted and that the new due date for filing an opposition be extended to February 26, 2003.

Counsel for Applicant has consented to this Request for Extension of Time to Oppose.

Respectfully submitted,

SMITHKLINE BEECHAM  
CORPORATION

By:



Gary D. Krugman  
Attorney for Prospective Opposer  
SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3202  
Telephone: (202) 663-7484  
Facsimile: (202) 293-7860

Date: January 27, 2003

cc: Christopher A. Sidoti, Esq.

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**PLEASE DATE STAMP AND RETURN AFTER FILING TO BOX 253X**

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Papers filed:

1. Request for Extension of Time to Oppose in triplicate

**DOCKET NO.: D-0378  
ATTORNEY: GDK/clb**

Gary D. Krugman  
Attorney for Prospective Opposer  
SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3202  
Telephone: (202) 663-7484  
Facsimile: (202) 293-7860

Date: January 27, 2003

2100 Pennsylvania Avenue, NW  
Washington, DC 20037-3213

T 202.293.7060

F 202.293.7860

www.sughrue.com



**FAX**

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Date April 23, 2003

To Henry Jefferson

Of Trademark Trial and Appeal Board

Fax 703-308-9333

From Leigh Ann Lindquist

Subject Extension of Time for 78/059,930

Our Ref D0378

Pages 5  
(including cover sheet)

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Mr. Jefferson,

Please see the attached Request for Extension of Time.

Thank you,

Leigh Ann Lindquist

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