

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

Mailed: August 19, 2003

Applicant: Smith, Johnny E
Serial No. 78172313
Filed: 10/08/2002
Mark: MONO-MAG

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Kimberly Linton, Legal Assistant:

The request for an extension of time in which to oppose filed July 30, 2003, on behalf of MAG INSTRUMENT, INC is noted.

The record in the application file reveals that the mark was published for opposition purposes on May 13, 2003. Thus, the time for filing an opposition or request for extension of time expired June 12, 2003.

While the subject request was accompanied by a certificate of mailing it is dated July 30, 2003, a time subsequent to the expiration of the thirty-day period.

Therefore, the request filed July 30, 2003 must be denied as untimely. See: Section 13 of the Act of 1946 and Trademark Rule 2.102(c), both as amended effective February 27, 1983.