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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN THE MATTER OF

Application Nº: 78-209,649
Filed: January 31, 2003
By: NPS Pharmaceuticals, Inc.
Published: September 16, 2003
Trademark: OSTACT
Class: 5
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8
I hereby certify that this paper or fee is being
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Commissioner for Trademarks,
2900 Crystal Drive, Arlington, Virginia 22202.

July 12, 2004
(Date of deposit)

Marsha G. Ajhar
(Print/type name of person signing Certificate)

Marsha G. Ajhar
(Signature)

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202

**MOTION ON CONSENT FOR EXTENSION
OF TIME TO FILE A NOTICE OF OPPOSITION**

Ligand Pharmaceuticals, Inc., a corporation organized and existing under the laws of the State of Delaware, with a place of business at 10275 Science Center Drive, San Diego, California 92121, hereby requests an additional sixty (60) day extension of the opposition period for the above-captioned application from July 12, 2004 to and including **September 9, 2004**.

This extension of time is not requested merely for purposes of delay. It appears the parties have reached an agreement in principle to resolve the matter by the amendment of Applicant's identification of goods. Some additional time is needed to prepare and circulate an agreement for consideration and signature and then for Applicant to file a post-publication Amendment

Counsel for Applicant, Michael E. Mangelson, Esq., has consented to the extension of time sought hereby. This request is submitted in triplicate pursuant to 37 C.F.R. 2.102(d).



07-14-2004

Respectfully submitted,

ABELMAN FRAYNE & SCHWAB
*Attorneys for Potential Opposer,
Ligand Pharmaceuticals, Inc.*

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MGA 212306 07-12-04

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION ON CONSENT FOR EXTENSION OF TIME TO FILE A NOTICE OF OPPOSITION was served upon Michael E. Mangelson, Esq., Steel Rives LLP, 201 South Main Street, Salt Lake City, Utah 84111-4904, by first class mail, postage prepaid, this 12th day of July, 2004.



Marsha G. Aja