

ESTTA Tracking number: **ESTTA25056**

Filing date: **02/03/2005**

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

Applicant: **Nutri/System IPHC, Inc.**  
Application Serial Number: **78290561**  
Application Filing Date: **08/21/2003**  
Mark: **SURE START**  
Date of Publication **01/04/2005**

**First 90 Day Request for Extension of Time to Oppose for Good Cause**

Pursuant to 37 C.F.R. Section 2.102, Kellogg North America Company, One Kellogg Square, Battle Creek, MI49016, UNITED STATES, a corporation organized under the laws of Delaware, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good causes are established for this request by:

- The potential opposer needs additional time to investigate the claim
- The potential opposer needs additional time to confer with counsel

The time within which to file a notice of opposition is set to expire on 02/03/2005. Kellogg North America Company respectfully requests that the time period within which to file an opposition be extended until 05/04/2005.

Respectfully submitted,  
/David A. Herdman/  
02/03/2005

**David A. Herdman**  
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