

ESTTA Tracking number: **ESTTA13330**

Filing date: **08/12/2004**

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

Applicant: **Focus Interactive, Inc.**
Application Serial Number: **78306246**
Application Filing Date: **09/26/2003**
Mark: **SMILEY CENTRAL AND SMILEY FACE DESIGN**
Date of Publication **07/13/2004**

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

Pursuant to 37 C.F.R. Section 2.102, America Online, Inc., 22000 AOL Way, Dulles, VA 20166, 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
- *Petitioner believes that it may be damaged by the registration of said mark. The additional time is needed to enable petitioner to make an investigation into the matter.*

The time within which to file a notice of opposition is set to expire on 08/12/2004. America Online, Inc. respectfully requests that the time period within which to file an opposition be extended until 11/10/2004.

Respectfully submitted,

/Jason J. Mazur/

08/12/2004

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