

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

| | | |
|---------------------------|---|----------------------|
| In re Application for |) | |
| Trademark Registration of |) | |
| Marianna Industries, Inc. |) | Opposition No. _____ |
| |) | |
| Serial No.: 78/324,279 |) | |
| |) | |
| Filed: November 6, 2003 |) | Attorney Docket No.: |
| |) | 01480.903500 |
| International Class: 3 |) | |
| |) | |
| For: PRO ZONE |) | |

SECOND REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION

BOX TTAB--NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3515

Sir:

Pursuant to 37 C.F.R. § 2.102, it is hereby requested by Tanning Research Laboratories, Inc. that the time for filing an Opposition against the above-captioned application for registration in International Class 3, which was published in the June 8, 2004 issue of the Trademark Official Gazette, be extended for 60 days, from August 7, 2004, to October 6, 2004. Requester's initial 30-day request for extension, filed July 7, 2004, enlarged the time to file a formal Opposition to August 7, 2004. However, Requester and Applicant need additional time to discuss a possible amendment to the application that would satisfy both parties.

This request is being filed on behalf of Tanning Research Laboratories, Inc., a Florida corporation located and doing business at 1190 U.S. Highway 1, North, Ormond Beach, Florida 32174. Applicant's counsel, Mr. Michael Sullivan, agreed to this extension by telephone on August 3, 2004.

Please direct all correspondence to the undersigned.

Respectfully submitted,



John W. Behringer

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, NY 10112-3801
(202) 530-1010

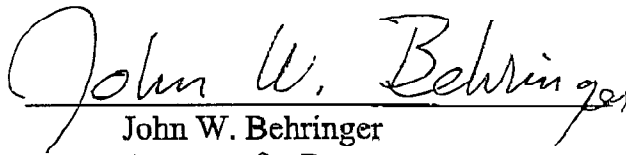
Attorneys for:
Tanning Research Laboratories, Inc.

Date: August 3, 2004

CERTIFICATE OF SERVICE

I hereby certify that the foregoing SECOND REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION was served this 3rd day of August, 2004, by depositing a true copy thereof, in a sealed envelope, first class postage pre-paid, addressed to:

Michael L. Sullivan, Esq.
Baird Holm Law Firm
1500 Woodmen Tower
Omaha, NE 68102


John W. Behringer
Attorney for Requestor

TMS

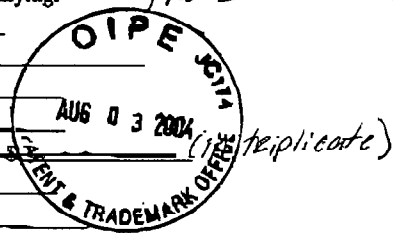
Director, Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Date 8, 3, 04
Mo. Day Yr.

Atty. Docket D140, 90, 3500
Serial No. 78/324, 279
Reg. No. _____

Sir: Kindly acknowledge receipt of the accompanying:

- Application and check for \$ _____
- Response to Office Action dated _____
- Notice of Appeal and Check for \$ _____
- Statement of Use and Check for \$ _____
- Request for Extension of Time and Check for \$ _____
- Affidavit of Use and Check for \$ _____
- Renewal Application and Check for \$ _____
- Other (specify) _____



PRO ZONE - C.3

FCH&S-T-01

by placing your receiving date stamp hereon and returning to deliverer.

Atty. *JWB/Had*

Due Date 8, 7, 04
Mo. Day Yr.

By Hand Only

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza
New York, NY 10112-3801
(202) 530-1010

Facsimile:(212) 218-2200

FACSIMILE COVER SHEET

TO: Mr. George Woods
Trademark Trial and Appeal Board

FROM: Tara Dressler
Paralegal

RE: U.S. Trademark Application No. 78/324,279
PRO ZONE in International Class 3
Our Reference: 01480.903500

FAX NO.: (703) 308-9333

DATE: September 13, 2004

NO. OF PAGES: 6
(including cover page)

TIME:

SENT BY: tad

MESSAGE

Mr. Woods, further to our telephone conversation, attached is our Second Request for Extension of Time, along with a copy of the stamped post card. Thank you.

Tara

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 202-530-1010 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

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FITZPATRICK, CELLA, HARPER & SCINTO

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August 3, 2004

Box TTAB -- NO FEE

Commissioner of Patents and Trademarks
The Trademark Trial and Appeal Board
2900 Crystal Plaza
Arlington, Virginia 22202-3513

COPY

Re: U.S. Trademark Application No. 78/324,279
PRO ZONE -- Cl. 3
Our Docket No.: 01480.903500

Dear Sir:

Please find enclosed a Second Request for Extension of Time to File an Opposition to the above-referenced trademark application, in triplicate.

Please charge any deficiencies or credit any overpayment to Deposit Account Number 06-1205.

If you have any questions, please contact me in our Washington, D.C. office at (202) 530-1010. Thank you for your attention to this matter.

Respectfully submitted,

FITZPATRICK, CELLA, HARPER & SCINTO

By: John W. Behringer
John W. Behringer
Attorney for Requester