

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

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 In re Trademark Application of :
 SMITHKLINE BEECHAM CORPORATION :
 Serial No. 78-421,527 :
 Filed: May 18, 2004 :
 Mark: ALLI :
 Published in the Official Gazette :
 on March 29, 2005 Page TM 163 :
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PETITION FOR EXTENSION OF TIME TO OPPOSE

To the Commissioner of Trademarks:

On behalf of Aldi Inc., a corporation organized and existing under the laws of the State of Illinois, located at 1200 North Kirk Road, Batavia, Illinois 60510-1477, we hereby request a sixty (60) day extension of time up to and including May 28, 2005 in which to file a Notice of Opposition against the above-identified trademark application.

This extension is required to provide time for the potential Opposer and its Counsel to consider the matter, to gather information, and to confer so that a decision can be made as to whether or not an Opposition should be filed.

This request is for good cause and is not filed for the purpose of mere delay, and favorable consideration of this Petition is respectfully requested.



Pursuant to Rule 2.102(d), this Petition is submitted in triplicate.

Respectfully submitted,



Allen L. Landmeier
Attorney for Aldi Inc.

Dated: April 25, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on April 25, 2005.



Allen L. Landmeier, Its Attorney

April 25, 2005
Date of Signature

Allen L. Landmeier
Smith, Landmeier & Elders, P.C.
P. O. Box 127
15 North Second Street
Geneva, Illinois 60134
Telephone: (630) 232-2880
#26476

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U.S. PATENT AND TRADEMARK OFFICE

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CLASS 5—(Continued).

SN 78-421,527. SMITHKLINE BEECHAM CORPORATION, PHILADELPHIA, PA. FILED 5-19-2004.

CLASS 5—(Continued).

SN 78-422,142. ELAN PHARMACEUTICALS, INC., SOUTH SAN FRANCISCO, CA. FILED 5-20-2004.

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JAMES A. RAUEN, EXAMINING ATTORNEY

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
FOR PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF PAIN (U.S. CLS. 6, 18, 44, 46, 51 AND 52).
ROBERT LORENZO, EXAMINING ATTORNEY

RD CHARACTERS
AR FONT, STYLE.
S. CLS. 6, 18, 44, 46,
ATTORNEY

SN 78-421,633. WHEAT, JARED R., NORCROSS, GA. FILED 5-19-2004.

SN 78-422,147. ELAN PHARMACEUTICALS, INC., SOUTH SAN FRANCISCO, CA. FILED 5-20-2004.

LLC, ANAHEIM, CA.

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THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
FOR VITAMINS AND NUTRITIONAL SUPPLEMENTS (U.S. CLS. 6, 18, 44, 46, 51 AND 52).
LINDA POWELL, EXAMINING ATTORNEY

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
FOR PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF PAIN (U.S. CLS. 6, 18, 44, 46, 51 AND 52).
ROBERT LORENZO, EXAMINING ATTORNEY

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ORNEY

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