

ESTTA Tracking number: **ESTTA283986**

Filing date: **05/14/2009**

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

Applicant:	DSM IP Assets B.V.
Application Serial Number:	79053062
Application Filing Date:	03/14/2008
Mark:	PEP2BALANCE
Date of Publication	04/14/2009

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 PO Box 3599, Battle Creek, MI 49016, 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 05/14/2009. KELLOGG NORTH AMERICA COMPANY respectfully requests that the time period within which to file an opposition be extended until 08/12/2009.

Respectfully submitted,
/David A. Herdman/
05/14/2009

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