

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



HEALTHPOINT, LTD.,
Opposer,

v.

ACTIVE ORGANICS, INC.,
Applicant.

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§

11-20-2001

U.S. Patent & TMOft/TM Mail Rcpt Dt. #61

Opposition No. 110,511

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AGREED STIPULATION TO EXTEND THE DISCOVERY PERIOD

Applicant, Active Organics, Inc., files this Agreed Stipulation to extend for three (3) months to continue up to and through February 23, 2002, the close of the discovery period in the above-captioned Opposition such period and to request that the Board also extend the remaining testimony and rebuttal testimony time periods by three (3) months. Counsel for Applicant has conferred via telephone with Counsel for Opposer, Healthpoint, Ltd. on November 20, 2001, and Opposer has agreed to the extension of the close of the discovery period and to the other requested extensions.

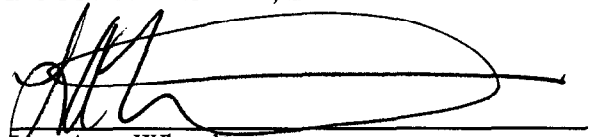
This stipulation was filed in an effort to allow the parties an adequate and fair amount of time for discovery and was not filed for purposes of delay.

Date: November 20, 2001

Respectfully submitted,

THOMPSON & KNIGHT, L.L.P.

By:

A handwritten signature in black ink, appearing to be 'Lee Ann Wheelis', written over a horizontal line.

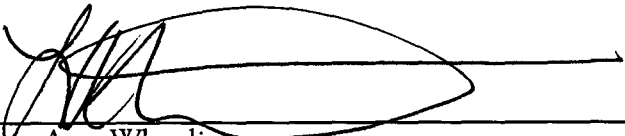
Lee Ann Wheelis
1700 Pacific Avenue, Suite 3300
Dallas, Texas 75201-4693
Tel.: (214) 969-1700
Fax: (214) 969-1751

ATTORNEYS FOR APPLICANT
ACTIVE ORGANICS, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "AGREED STIPULATION TO EXTEND THE DISCOVERY PERIOD" has been forwarded via certified mail, return receipt requested, on this, the 20th Day of November, to Opposer's attorney of record as follows:

Charles W. Hanor
Akin, Gump, Strauss, Hauer & Feld, L.L.P.
Suite 1500
300 Convent Street
San Antonio, Texas 78205



Lee Ann Wheelis

CERTIFICATE OF MAILING

"Express Mail" Mailing Label No. 899475430

Date of Deposit: November 20, 2001

I hereby certify that this AGREED STIPULATION TO EXTEND THE DISCOVERY PERIOD is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, BOX TTAB, NO FEE, Arlington, Va. 22202-3513, on this the 20th Day of November, 2001.



Name Printed: Michelle Peterson

TTAB

THOMPSON & KNIGHT

L.L.P.

ATTORNEYS AND COUNSELORS

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November 20, 2001

Assistant Commissioner for Trademarks
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Arlington, Virginia 22202-3513

EL899475430US



**Re: Healthpoint, Ltd. v. Active Organics, Inc.
Opposition No. 116, 511**

11-20-2001

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #61

Dear Sir:

Enclosed is one original and two copies of an Agreed Stipulation to Extend the Discovery Period for Opposition No. 116,511.

Please direct all correspondence to Applicant for this matter to:

Lee Ann Wheelis
Thompson & Knight, L.L.P.
1700 Pacific Ave., Suite 3300
Dallas, Texas 75201

Sincerely,

Lee Ann Wheelis

LAW:tcy
Enclosures