

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

HEALTHPOINT, LTD.,

Petitioner,

v.

ACTIVE ORGANICS, INC.,

Applicant.

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Serial No.: 75/619,784
Mark: ACTIZYME

Opposition No. 116,511

STIPULATED MOTION TO EXTEND DISCOVERY DEADLINES

The parties in the above referenced opposition proceeding have stipulated, as indicated below, to extend the discovery deadlines as reset in the TTAB's Order mailed on December 4, 2001. The parties respectfully request the extension of these deadlines in order to pursue settlement negotiations in an attempt to resolve this opposition. The extended deadlines as stipulated upon are as follows:

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| Discovery period to close: | May 23, 2002 |
| Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto) | August 24, 2002 |
| Testimony period for party in position of defendant to close: (opening thirty days prior thereto) | October 26, 2002 |
| Rebuttal testimony period to close: (opening thirty days prior thereto) | December 6, 2002 |

Briefs shall be filed in accordance with Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Rule 2.129.

SIGNED AND ENTERED this _____ day of _____, 2002.

Trademark Trial and Appeal Board

Approved:

Kirt S. O'Neill

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February 21, 2002

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02-21-2002

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ATTN: Trademark Trial and Appeal Board

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

Dear Sir or Madam:

Enclosed is an original and a copy of a Motion to Extend Discovery Deadlines for the above-referenced opposition.

Please acknowledge receipt of the enclosed material by date stamping and returning the enclosed stamped and self-addressed postcard.

I appreciate your assistance in this matter.

Very truly yours,

Lee Ann Wheelis

LAW/co
Enclosure