

STAR

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

3 *In the Matter of*

4 Application Serial No. 76/214608  
5 Published November 20, 2001

Opposition No. 91152033

6 GEL TECH, L.L.C.,

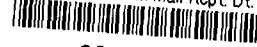
7 Opposer,

8 v.

9 TWENTY-FIRST CENTURY  
10 LABORATORIES, INC.,

11 Applicant.

U.S. Patent & TMO/TM Mail Rcpt. Dt. #57



08-19-2002

TRADEMARK TRIAL AND  
APPEAL BOARD  
02 AUG 27 AM 12:10

12  
13 **UNOPPOSED MOTION TO EXTEND TIME FOR FILING**  
14 **APPLICANT'S ANSWER OR OTHER RESPONSIVE PLEADING**

15 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, the above-identified  
16 Applicant, Twenty-First Century Laboratories, Inc., hereby moves for a three week extension of  
17 time to file and serve its answer or other response to the Notice of Opposition that was filed in  
18 this matter by the Opposer, Gel Tech, L.L.C., on or about May 20, 2002. This is the first time  
19 extension requested by Applicant, and is based upon the following grounds.

20 Opposer and Applicant have been engaged in good faith settlement negotiations that, if  
21 successfully concluded, will result in the dismissal of this opposition proceeding in its entirety.  
22 To facilitate those negotiations and provide adequate time to complete all necessary settlement  
23 documentation, Applicant respectfully asks that the time for filing its answer or other response to  
24 the Notice of Opposition, be extended through and until September 9, 2002.

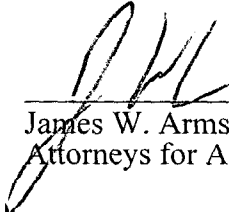
25 Undersigned counsel for the Applicant has contacted the Opposer's attorney, Daniel  
26 Noblitt, regarding this extension, and Mr. Noblitt has indicated that he has no objection to the  
27 time period requested and otherwise consents to the extension on behalf of his client. In  
28

1 addition, Applicant notes that it has consented to four previous time extensions requested by the  
2 Opposer with regard to the filing of its Notice of Opposition.

3 RESPECTFULLY SUBMITTED this 19 day of August, 2002.

4 SACKS TIERNEY P.A.  
5 4250 North Drinkwater Blvd., Fourth Floor  
6 Scottsdale, Arizona 85251-3647  
7 Telephone: (480) 425-2600

8 By

  
James W. Armstrong  
Attorneys for Applicant

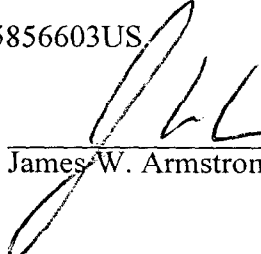
10 CERTIFICATE OF MAILING BY "EXPRESS MAIL"

11 Pursuant to 37 C.F.R. § 1.10, I hereby certify that the original and two copies of the  
12 foregoing "Unopposed Motion To Extend Time For Filing Applicant's Answer Or Other  
13 Responsive Pleading" are being deposited this 19 day of August, 2002, with the United  
14 States Postal Service "Express Mail Post Office to Addressee" in an envelope addressed to:  
15

16 BOX TTAB - NO FEE

17 Assistant Commissioner for Trademarks  
18 2900 Crystal Drive  
Arlington, Virginia 22202-3513

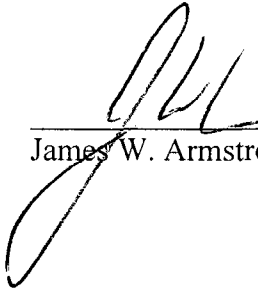
19 The Express Mail Receipt Number is EU575856603US.

  
James W. Armstrong

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Unopposed Motion To Extend Time For Filing Applicant's Answer Or Other Responsive Pleading" was served this 19 day of August, 2002, by first class mail, postage prepaid, upon counsel for the Opposer, at the following address:

Daniel J. Noblitt, Esq.  
SNELL & WILMER L.L.P.  
One Arizona Center  
400 E. Van Buren Street  
Phoenix, Arizona 85004-2202

  
James W. Armstrong

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