

TTAB

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

04-26-2004  
U.S. Patent & TMO/c/TM Mail Rpt/Dt. #78

-----X  
TWIN LABORATORIES INC.,

Opposition No. 91155955

Opposer,

STIPULATION EXTENDING TIME  
TO RESPOND TO APPLICANT'S  
MOTION FOR JUDGMENT FOR  
OPPOSER'S FAILURE TO PROVE  
CASE

v.

BREAKTHROUGH ENGINEERED  
NUTRITION, INC.

Applicant.  
-----X

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By

  
Jo-Ann Cupito

Subject to the approval of this honorable Board, the parties request a one month extension of time until **May 30, 2004** for Opposer to Respond to Applicant's Motion For Judgment For Opposer's Failure To Prove Case. The purpose of this request is to allow the parties time to explore the possibility of resolving this matter on an agreed basis.

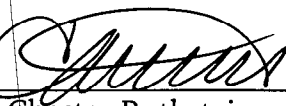
This request for an extension was agreed to in a telephone conversation between the undersigned and counsel for Applicant on April 23, 2004.

Respectfully submitted,

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Dated: April 26, 2004  
New York, NY

By:



Chester Rothstein

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on the date indicated below, a true and correct copy of the foregoing STIPULATION EXTENDING TIME TO RESPOND TO APPLICANT'S MOTION FOR JUDGMENT FOR OPPOSER'S FAILURE TO PROVE CASE was served by First Class Mail, postage prepaid, upon attorneys for Applicant, as follows:

J. Todd Timmerman, Esq.  
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Chester Rothstein

Dated: April 26, 2004  
New York, NY