

ESTTA Tracking number: **ESTTA201328**

Filing date: **03/28/2008**

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

Proceeding	91181995
Party	Defendant Albaugh, Inc.
Correspondence Address	Adam W. Jones Brown, Winick, Graves, Gross Regency West 5 , 4500 Westown Pkwy West Des Moines, IA 50266 UNITED STATES
Submission	Motion to Extend
Filer's Name	Adam W. Jones
Filer's e-mail	ajones@brownwinick.com
Signature	/adam w jones/
Date	03/28/2008
Attachments	second motion to extend time to answer.pdf ( 2 pages )(10875 bytes )

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

In the Matter of Application Serial No. 76/642,493  
Mark: PYRAMID  
Filing Date: July 11, 2005

WYETH,

OPPOSER,

v.

ALBAUGH, INC.

APPLICANT.

Opposition: 91181995

APPLICANT'S SECOND MOTION TO  
EXTEND TIME TO ANSWER  
OPPOSITION

Applicant, ALBAUGH, INCORPORATED, hereby requests a thirty (30) day extension of time from March 29, 2008, to April 29, 2008, to answer the above identified Opposition.

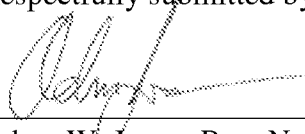
1. Opposer filed its opposition on January 18, 2008, and notice of the time to answer was mailed to Applicant on January 19, 2008.
2. The forty (40) day period to respond to the opposition ended February 28, 2008.
3. Applicant requested and received a thirty (30) day extension extending the time to respond from February 28, 2008, to March 29, 2008.
4. Applicant is requesting a second thirty (30) day extension extending the time to respond from March 29, 2008, to April 29, 2008.
5. On March 26, 2008, Applicant's attorney Adam W. Jones corresponded with Opposer's counsel Sudipta Rao, and Ms. Rao agreed to the thirty (30) day extension requested herein.
6. Since November 7, 2007, representatives of Applicant had been in ongoing discussions with representatives of Opposer concerning settlement and avoidance of an opposition proceeding.

7. Applicant needs the extra thirty (30) days in order for the parties to have time to meaningfully discuss settlement and negotiate terms.

8. Applicant believes that the requested extension of thirty (30) days will be sufficient to provide adequate time for the parties to negotiate settlement and that such extension will not unduly delay these proceedings and/or prejudice Opposer.

WHEREFORE, Applicant requests the TTAB grant this motion to extend.

Respectfully submitted by,



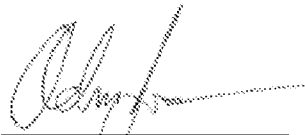
Adam W. Jones, Reg. No. 57,116  
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ATTORNEY FOR APPLICANT

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing request for extension of time was served by pre-paid first class mail and e-mail to counsel for Opposer:

Sudipta Rao  
Wyeth  
Five Giralda Farms  
Madison, NJ 07940  
raos@wyeth.com

on this 28th day of March, 2008.



Adam W. Jones