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

Proceeding	91245529
Party	Plaintiff DSM IP Assets B.V.
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Submission	Other Motions/Papers
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Date	06/08/2020
Attachments	4662-3720 opposer reply to applicant extension motion to reply to opposer cross motion for summary judgment or discovery - 6-8-20.pdf(92813 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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_____	)	
DSM IP Assets B.V.	)	
	)	
Opposer	)	
	)	
v.	)	Opposition No. 91245529
	)	Application No. 87891972
HHEALTH Inc.	)	
	)	
Applicant	)	
_____	)	

**OPPOSER’S REPLY TO APPLICANT’S MOTION TO EXTEND TIME TO RESPOND  
TO OPPOSER’S CROSS-MOTION FOR SUMMARY JUDGMENT or  
MOTION FOR DISCOVERY OF APPLICANT UNDER RULE 56(d)**

As Opposer noted in its cross-motion for summary judgment or discovery of applicant, this case involves a likelihood of confusion, fraud, and evasion. See also the Notice of Opposition.

Applicant has moved for a 60 day extension to reply to Opposer’s cross-motion for summary judgment.

Opposer consents to Applicant’s requested 60 day extension, if the Board permits a **Chinese company with no stated Chinese address or declaration** to now act in place of the **UK Company** Applicant (or the subsequently alleged **US Company** Applicant) and request a 60 day extension in this case.

Opposer respectfully submits that the Applicant’s trademark application should now be stricken for an additional reason to those stated in Opposer’s Notice of Opposition and Cross-Motion for Summary Judgment --- in view of Applicant’s new claim that it is a **Chinese company** (see page 1 of Applicant’s Extension Motion filed on May 18, 2020, i.e., “Applicant believes that it has good cause to request such an extension, as Applicant, a **Chinese company**,”

*has been impacted by the Coronavirus phenomenon.”)* -- instead of the Applicant’s claim to be a **UK company** in the sworn application of April 25, 2018 and in Applicant’s Response to Office Action of September 3, 2018, and instead of the Applicant’s subsequent and unsworn claim to be a **US company** in papers filed at the Board on February 4, 2019.

Date: June 8, 2020 \_\_\_\_\_ Respectfully submitted,

/Duane M. Byers/  
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DSM IP Assets B.V.

**Certificate of Service**

I hereby certify that a true and accurate copy of the foregoing will be served on Applicant’s U.S. attorney of record M. Scott Alprin on this date by email to: [trademarks@alprinlaw.com](mailto:trademarks@alprinlaw.com).