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

Proceeding	94002351
Party	Applicant Critical Homecare Solutions, Inc.
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Submission	Motion to Extend
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of trademark application Serial No. 77/012845
For the mark CHS in International Class 44
Published in the Official Gazette on July 22, 2008

**CRITICAL HOMECARE SOLUTIONS, INC.,
Applicant,**

v.

Concurrent Use No. 94002351

**CATHOLIC HEALTH SERVICES
OF LONG ISLAND,
User.**

MOTION FOR EXTENSION OF TIME TO RESPOND

Pursuant to TBMP § 509.1(a), Applicant Critical Homecare Solutions, Inc. ("Applicant") hereby seeks additional time to respond to the Order issued by the Trademark Trial and Appeal Board (the "TTAB") dated August 15, 2011 (the "Order").

The Order originally required Applicant to file a response to the Order within thirty days of the mailing date of the Order, which was September 14, 2011. On September 12, 2011, Applicant requested an extension of 23 days as Applicant did not receive the Order until late in the afternoon on September 8, 2011 – only 6 days before the response deadline – when conducting an online status check of the application that is the subject of this proceeding (the "Application"). As Applicant had good cause for an extension, on September 14, 2011, the Interlocutory Attorney granted Applicant's request for an extension, and allowed Applicant until October 7, 2011, to file a response to the Order.

Applicant requests a two-week extension from the current deadline of October 7, 2011, to respond to the Order. Since the last activity in this proceeding took place in 2009, Applicant's company has been acquired by BioScrip, Inc. and has experienced turnover in both the legal

department and the company's senior management. Moreover, the facts pertinent to Applicant's response pertain to activities that took place more than five years ago. Accordingly, Applicant needs additional time to finish gathering evidence to support its response. Applicant believes that a two-week extension would allow it sufficient time to gather that evidence and finalize its response.

WHEREFORE, Applicant respectfully requests that the TTAB extend Applicant's deadline to respond to the Order to October 21, 2011.

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Date: October 4, 2011

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