

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

In re Application of:)
MARQUIS MARBLE & GRANITE, INC.)
Serial No.: 76/227,780)
Filed: March 12, 2001)
For: MARQUIS MARBLE & GRANITE, INC.)


12-22-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

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**FIRST REQUEST UNDER 37 CFR 2.102
FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

Petitioner, MCG Industries, Inc., (a corporation of Georgia) having a business mailing address at P. O. Box 1308, Chatsworth, Georgia 30705, through undersigned counsel, hereby respectfully requests a thirty-day (30-day) extension of time within which to file a Notice of Opposition regarding the above matter. If granted, the extended date would be January 31, 2003.

The good cause reason for this request is that additional time is required to investigate this matter to determine if opposition is warranted and to prepare the opposition papers, if necessary.

This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office, and the extended date requested does not in the aggregate exceed more than 120 days from the date of publication of the subject application (37 C.F.R. § 2.102(c)).

This request is submitted in triplicate (original plus two copies).

Respectfully submitted,

On Behalf of,
MCG Industries, Inc.

DATE: December 22, 2003

BY:



TIMOTHY D. ST. CLAIR
Reg. No. 48,316

DORITY & MANNING
ATTORNEYS AT LAW, P.A.
P. O. Box 1449
Greenville, SC 29602-1449
Telephone: (864) 271-1592
Facsimile: (864) 233-7342

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application of:
Marquis Marble & Granite, Inc.

Serial No.: 76/227,780

Attorney Docket No.: MMB-2-L

Filed: March 12, 2001

Account No: 04-1403



For: MARQUIS MARBLE & GRANITE, INC.

12-22-2003

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Sir:

- 1. [] **NOTICE OF APPEAL:** Applicant hereby appeals to the Trademark Trial and Appeal Board from the Final Refusal dated of the Examining Attorney twice/finally refusing Applicant's request for registration, with a fee of \$100.00 for one class.
- 2. [] **BRIEF** on appeal in this application is transmitted herewith in triplicate to the Trademark Trial and Appeal Board.
- 3. [] An **ORAL HEARING** is respectfully requested by separate paper within 10 days hereafter.
- 4. [X] **OTHER:** First Request Under 37 CFR 2.102 For Extension of Time to File Notice of Opposition is transmitted herewith in triplicate.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under applicable Rules (deficiencies only) now or hereafter relative to this application and the resulting Official document or credit any overpayment, to our deposit Account/Order Nos. in the heading hereof for which purpose a duplicate copy of this sheet is attached.

**ADDRESS: DORITY & MANNING
ATTORNEYS AT LAW, P.A.**

P. O. Box 1449
Greenville, S.C. 29602-1449
Telephone: 864-271-1592
Facsimile: 864-233-7342

By: TIMOTHY D. ST. CLAIR Reg. No.: 48,316

Signature: *T. St. Clair*
Date: December 22, 2003

"Express Mail" - Mailing Label Number EV 106942393 US

I hereby certify that this paper and any referenced attachment and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and is addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on:

December 22, 2003

Patti B. Weaver

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