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64199-10212528

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

In re Application of: R. Douglas Firestone  
Serial No.: 76/328,712  
Filing Date: October 23, 2001  
Mark: ARCUS  
Publication Date: January 14, 2003



09-15-2003

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #22

BOX TTAB – NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**Certificate of Mailing**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to:  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514  
on September 10, 2003  
*Dana C. Jewell*  
Dana C. Jewell, Esq.

**CONSENTED REQUEST FOR FURTHER EXTENSION OF TIME TO OPPOSE**

The Arcus Group, Inc., a Texas corporation, with its principal place of business at 6908 Saucon Valley Drive, Fort Worth, Texas 76132, and David Gabriel, an individual residing at 6908 Saucon Valley Drive, Fort Worth, Texas 76132, (hereinafter collectively “The Arcus Group”), by and through their attorneys, hereby request that the Board grant an additional thirty (30) day extension of time to file a Notice of Opposition in the above-referenced matter, up to and including **Friday, October 10, 2003**.

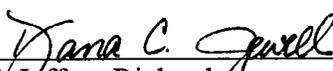
This further extension of time to oppose is not made for purposes of delay, but is requested so that the parties may continue their efforts to complete a settlement in this matter. The parties are in the process of negotiating the final terms of a written settlement agreement, and remain hopeful that the successful conclusion of such negotiations will obviate the need for filing the contemplated opposition proceeding. Counsel for applicant, Coleen Meehan, agreed to this thirty (30) day extension in a telephone conference with J. Jeffery Richardson, counsel for potential opposers, held on September 9, 2003.

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64199-10212528

It is believed that no fee is due in connection with this filing. However, if a fee is required, the Commissioner is hereby authorized to charge payment of any fees associated with this Request to Fulbright & Jaworski L.L.P. Deposit Account No. 06-2380.

This request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

  
\_\_\_\_\_  
J. Jeffery Richardson  
Dana C. Jewell  
Fulbright & Jaworski L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201  
Telephone: (214) 855-8000  
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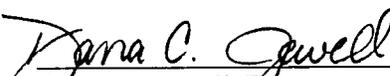
COUNSEL FOR POTENTIAL OPPOSERS  
THE ARCUS GROUP, INC. and DAVID  
GABRIEL

Date: September 10, 2003

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 10<sup>th</sup> day of September, 2003, a true and correct copy of the foregoing Consented Request for Further Extension of Time to Oppose was sent via U.S. Mail, postage prepaid, for service upon the following counsel for applicant:

Coleen M. Meehan  
Anita B. Polott  
Morgan Lewis  
1701 Market Street  
Philadelphia, Pennsylvania 19103

  
\_\_\_\_\_  
Dana C. Jewell, Esq.

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Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA. 22202-3514

on September 10, 2003

*Dana C. Jewell*  
Dana C. Jewell, Esq.

Sir:

Enclosed are the following regarding the above-referenced trademark application:

1. Consented Request For Further Extension Of Time To Oppose; and
2. A return postcard to confirm the receipt.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Fulbright & Jaworski L.L.P. Deposit Account No. 06-2380.

Respectfully submitted,

*Dana C. Jewell*  
Dana C. Jewell

Date: September 10, 2003  
Fulbright & Jaworski, L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201  
214-855-8154  
214-855-8200 facsimile

cc: Coleen M. Meehan  
Anita Polott  
J. Jeffery Richardson (firm)