

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

Mailed: December 16, 2002

Applicant: Allied Domecq Spirits & Wine Limited
Serial No.: 76357067
Filed: 01/10/2002
Mark: BALLANTINE'S

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Veronica White, Legal Assistant

The request for extension of time filed November 4, 2002, on behalf of Ballantyne Foods, Inc., is noted.

The record in the application file reveals that the mark was published for opposition purposes on January 14, 2003.

Inasmuch as the subject application had not been published in the Official Gazette at the time of filing of the request for extension, the request for an extension is premature; that is, a request for an extension of time to oppose or an opposition may be filed only when the application is published for such purposes under Section 12(a) of the Trademark statute.

The request to extend is returned herewith to potential opposer.