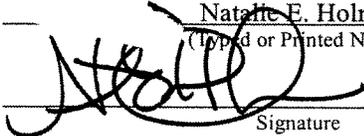


STATEMENT OF MAILING

... correspondence is being deposited with
...al Service with sufficient postage as first
...velope addressed to:
...issioner For Trademarks,
... FEE, 2900 Crystal Drive, Arlington, VA 22202-
...day of August, 2002.

Natalie E. Holmok
(Typed or Printed Name)


Signature

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

In Re Trademark Application of : FRESH EXPRESS
Serial No. : 76/370,772
Filed : February 13, 2002
Mark : SNACKERS
Published : July 30, 2002
International Classes : 029
Attorney Docket : 26416/04790

**REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION
PURSUANT TO 37 C.F.R. §2.102**

Assistant Commissioner For Trademarks
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Madam:

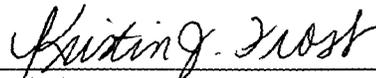
At this time, The J. M. Smucker Company, an Ohio corporation with a place of business at Strawberry Lane, Orrville, Ohio 44667-0280 (the "Potential Opposer"), believes that it would be damaged by the registration of the above-identified mark. An extension of time of thirty days, to and including Monday, September 30, 2002 is hereby requested to file a notice of opposition

in the above-identified matter. The additional time is necessary for Potential Opposer to investigate this matter, to gather sufficient evidence, contact Applicant and to prepare and file a Notice of Opposition. This is Potential Opposer's first request for an extension of time with respect to the above-identified application. This request is not submitted for the purpose of mere delay.

This request is submitted in triplicate in accordance with 37 C.F.R. §2.102(d).

Respectfully submitted,

Date: August 29, 2002



Kristin J. Frost

CALFEE, HALTER & GRISWOLD LLP

1400 McDonald Investment Center

800 Superior Avenue

Cleveland, Ohio 44114-2688

(216) 622-8895

Counsel for Potential Opposer

TTAB



CALFEE, HALTER & GRISWOLD LLP

ATTORNEYS AT LAW
Cleveland

09-03-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #26

Direct Dial No. 216/622-8895
email: kfrost@calfee.com

August 29, 2002

Assistant Commissioner for Trademarks
Box TTAB NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

02 SEP -6 PM 8:44
TTAB NO FEE

Re: Fresh Express
Mark: SNACKERS
Serial No.: 76/370,772
Filed: February 13, 2002
Our File No.: 26416/04790

Dear Sir or Madam:

Enclosed please find the following documents:

1. Stipulated Request for Extension of Time to File Opposition Pursuant to 37 C.F.R. § 2.102 (2 pages) in triplicate;
2. Original and one (1) copy of this Transmittal Letter (1 page); and
3. Return Receipt Postcard.

Please charge any additional necessary fees to our Deposit Account No. 03-0172. A duplicate of this letter is enclosed for accounting purposes.

Very truly yours,

Kristin J. Frost

Enclosures

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