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

Applicant: Zodiac Beverages, Inc.

For: ZODIAC

Serial No.: 76/582,125

Int'l. Class: 032

Filed: March 18, 2004

Published: December 21, 2004

**FIRST REQUEST FOR EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION**

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

In accordance with 37 CFR § 2.102, Potential Opposer, Koan, Inc. d/b/a Zodiac Spirits, of Birmingham, Michigan, by and through its undersigned attorneys, hereby submits its request for an extension of time to oppose the above-identified application. Pursuant to the provisions of 37 C.F.R. 2.102, Potential Opposer respectfully requests a 60-day extension of time within which Potential Opposer may file a Notice of Opposition to registration of the above-identified mark.

The mark was published for opposition on December 21, 2004, the opposition period being set to expire on January 21, 2005. Potential Opposer is presently obtaining a copy of the Patent and Trademark Office prosecution history of the applicant. Potential Opposer requires additional time to study the prosecution history and investigate the



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scope of the Applicant's use of the above-identified mark. Based upon this study and investigation, the undersigned attorney will utilize the requested sixty (60) day extension of time to ascertain whether or not to file a formal Notice of Opposition.

In view of the foregoing, Potential Opposer requests that the Request for Extension of Time be approved.

In accordance with 37 CFR § 2.102(d), this Request is being submitted in triplicate (original plus two copies).

Respectfully submitted,

Date: January 19, 2005

By: Jeffrey P. Thennisch

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CERTIFICATE OF MAILING

Date of Deposit With The U.S. Postal Service: January 19, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail, postage prepaid, on the date indicated above and is addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451.


