

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

In re Application of:)
SOUTH BEACH BEVERAGE COMPANY)
Serial No.: 76/975,886)
Filed: August 13, 2000)
For: SOBE)

Published in the Official Gazette
of January 13, 2004, Volume 1278, No.2,
at Page TM 170

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

Petitioner, SOBY'S Restaurant, at 207 South Main Street, Greenville, South Carolina 26901, through its undersigned counsel, hereby respectfully requests a sixty-day (30-day) extension of time to file a Notice of Opposition regarding the above matter. If granted, the extended date would be March 13, 2004.

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.

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

Respectfully submitted,

On Behalf of
SOBY'S

DATE: Feb. 10, 2004

BY: Richard M. Moose

Richard M. Moose
Reg. No. 31,226

DORITY & MANNING
ATTORNEYS AT LAW, P.A.
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"Express Mail" - Mailing Label Number EV106942098US

Date of Deposit February 10, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX TTAB, NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513

PRUDENCE M. GREENE

(Typed or printed name of person mailing paper or fee)

Prudence M. Greene

(Signature of person mailing paper or fee)

TTAB

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

In re Applications of: SOUTH BEACH BEVERAGE COMPANY, INC.

Serial No.: 76/975,886

Attorney Docket No.: SBY-2-TM

Filed: AUGUST 13, 2002

Account No: 04-1403

For: SOBE

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

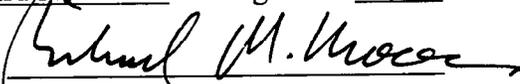
The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under applicable Rules (deficiencies only) 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.

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By: Richard M. Moose Reg. No.: 31,226

Signature: 

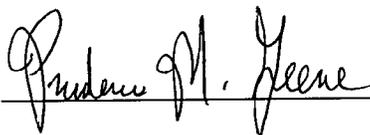
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February 10, 2004

Prudence M. Greene



02-11-2004