

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

In re Application of: Colonial Kettle Corn, LLC/ Daniel M. Mleziva

Serial No.: 78/ 053,176

Filed: March 14, 2001

Mark: COLONIAL KETTLE CORN

Published: August 27, 2002

12-19-2002
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #33

SECOND REQUEST UNDER RULE 2.102 TO EXTEND TIME
FOR FILING OPPOSITION WITH CONSENT OF APPLICANT

Potential Opposer, Kettle Foods, Inc., P.O. Box 664, Salem, Oregon 97308, respectfully requests through its undersigned officer who is authorized to represent Potential Opposer that an extension of time be granted for filing an opposition to the above-identified application that was published in the *Official Gazette* on August 27, 2002.

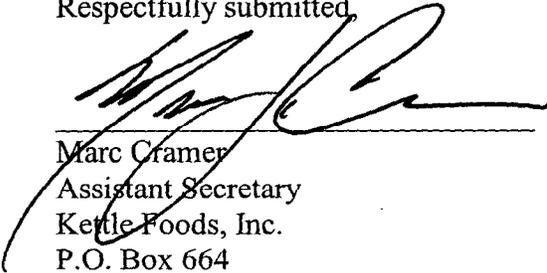
On September 10, 2002, Potential Opposer filed its First Request Under Rule 2.101 to Extend Time for Filing Opposition, asking that a period of time for filing an opposition to such application be extended for a period of 90 days to and including December 25, 2002. On September 30, 2002, the TTAB granted the request.

Potential Opposer requests that the period of time for filing an opposition to such application be extended an additional ninety (90) days to and including March 25, 2003. Applicant consents to this request to extend time for filing an opposition. The extension is necessary for Potential Opposer to further investigate the Applicant's use of the Mark and to more fully evaluate this matter.

This request is made in triplicate (original plus two copies), as required by 37 CFR 102(d).

Dated: December 19, 2002

Respectfully submitted,



Marc Cramer
Assistant Secretary
Kettle Foods, Inc.
P.O. Box 664
Salem, Oregon 97308
(503) 364-0399

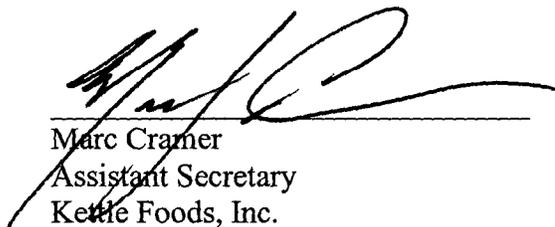
Express Mail No. EU 393052757 US

PROOF OF SERVICE

I hereby certify that I served the foregoing **SECOND REQUEST UNDER RULE 2.102 TO EXTEND TIME FOR FILING OPPOSITION WITH CONSENT OF APPLICANT** on the following named person on the date indicated below by mailing with postage prepaid to said person a true copy thereof, contained in a sealed envelope, addressed to said person at their last-known address indicated below.

Troy Payne for
Colonial Kettle Korn
P.O. Box 279
Catharpin, Virginia 20143

DATED: December 19, 2002

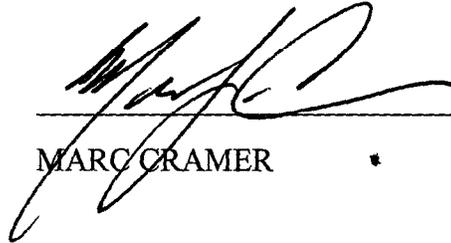
A handwritten signature in black ink, appearing to read 'M. Cramer', is written over a horizontal line. The signature is fluid and cursive.

Marc Cramer
Assistant Secretary
Kettle Foods, Inc.
P.O. Box 664
Salem, Oregon 97308
(503) 364-0399

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

[XX] Express Mail Mailing Label No.: EU 393052757 US
Date of Deposit: December 19, 2002

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



MARC CRAMER



Kettle Foods

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TTAB

December 19, 2002

EXPRESS MAIL NO. EU 393052757 US

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

12-19-2002

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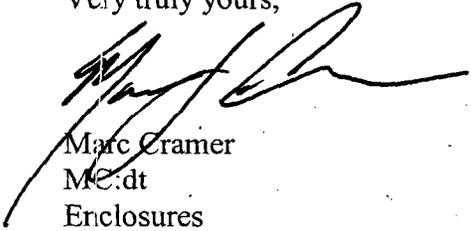
RE: Second Request Under Rule 2.102 to Extend Time for Filing Opposition to Application With Consent of Applicant
Mark: COLONIAL KETTLE CORN (for "retail services featuring popped kettle corn)
Serial No.: 78/053,176
Published: August 27, 2002

Enclosed are the original and two copies of Kettle Foods' Second Request Under Rule 2.102 to Extend Time for Filing Opposition With Consent of Applicant to the above-referenced trademark application. Also enclosed is a self- postage paid postcard for confirmation of receipt of the enclosed.

Please address all communications regarding this matter to Ms. Deborah Trant at the address below or at (503) 580-2759.

This request is being sent via Express Mail.

Very truly yours,


Marc Cramer
MC:dt
Enclosures

Cc: Troy Payne