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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF  
National Tobacco Company, L.P.

) Date Published: October 15, 2002

Serial No.: 78-114541

Filed: March 13, 2002

For Trademark: THE SPORTSMAN'S CHEW

) Docket No.: 011880-023

2002 OCT 24 11 59:50

REQUEST FOR THIRTY DAY  
EXTENSION OF TIME TO FILE OPPOSITION  
PURSUANT TO 37 CFR §2.102(c)(3)

Commissioner for Trademarks  
BOX TTAB  
2900 Crystal Drive  
Arlington, VA 22202-3513



02-19-2003

U.S. Patent & TMOrc/TM Mail Rcpt Dt. #77

Dear Sir:

ARANGOLD CORPORATION d/b/a Arango Cigar Co., an Illinois corporation having its principal place of business at 3170 Commercial Avenue, Northbrook, Illinois 60062 by its attorneys, McDermott, Will & Emery, hereby requests an additional 30-day extension of time for opposing the registration of the above mark on the above application.

Potential Opposer realizes that with the requested extension more than 120 days from the date of publication of the application will have passed. Potential Opposer has not sought the consent of Applicant to this extension of time, but believes that the extraordinary circumstances required by 37 CFR §2.102(c)(3) for obtaining an extension of time to oppose without obtaining the Applicant's approval exists in this case.

First, Potential Opposer has not engaged and does not intend to engage in any negotiations with Applicant with respect to avoiding this opposition inasmuch as Potential Opposer has already previously negotiated with Applicant in connection with the registration of this mark. In fact, for reasons purportedly not associated with Potential Opposer's demands, Applicant filed an Express Abandonment of the above application on September 13, 2002, prior to the date the above application was published for opposition.

Second, Potential Opposer's counsel has been informed by the Trademark Trial and Appeal Board's paralegal assistant assigned to this application that the Express Abandonment of the application has been received but has not yet been scanned into the system, which will apparently trigger the withdrawal of the application from publication. Because of the significant

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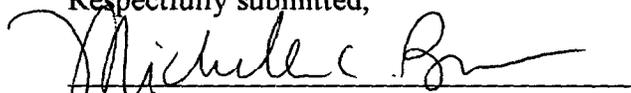
processing backlog, Potential Opposer has no way of being assured when and if the Express Abandonment will be acted upon. Had the Express Abandonment been acted upon in a timely fashion, Potential Opposer would not be confronted with the need to keep the opposition period open or to engage the Applicant in further dialogue over a subject that the Applicant believes is moot.

Third, Potential Opposer believes there is nothing to be gained by seeking the Applicant's consent to extending the opposition period to allow the Patent and Trademark Office to take action that should have been taken prior to this point inasmuch as it is to the Applicant's advantage if the application proceeds to registration and the Potential Opposer wishes to avoid any further controversy over this application.

If the PTO takes the proper action with respect to the Express Abandonment, there will be no need to incur the expense of opposition; if the PTO fails to take proper action through some oversight, Potential Opposer will be prejudiced if it is required to engage in an adversarial proceeding either to oppose the application or to petition to cancel any registration that issues if the current request is not granted. In view of these extraordinary circumstances, the Potential Opposer hereby requests that the Opposition period remain open until the Express Abandonment is acted on, at least for another thirty days.

This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102 (d).

Respectfully submitted,



Michelle C. Burke  
McDermott, Will & Emery  
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312-372-2000  
Attorney for Potential Opposer

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ~~XXXXXXXXXX~~ Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202 - 3513, on:  
DATE OF DEPOSIT: Feb. 12, 2003  
SIGNATURE: Michelle C. Burke  
DATE OF SIGNATURE: 2/12/2003