

FRAB

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



GENERAL MILLS, INC.,  
Opposer  
v.  
JASPER FOODS, INC.,  
Applicant.

Opposition No. 111,858



02-09-2004  
U.S. Patent & TMO/TM Mail Rcpt Dt. #39

CONSENTED MOTION FOR EXTENSION OF TIME

COMES NOW the Applicant, Jasper Foods, Inc., by and through its undersigned counsel, and hereby moves for an Order from the Trademark Trial and Appeal Board (the "Board") resetting the dates established by the December 10, 2003 Consented Motion for Extension of Time. Specifically, Applicant requests a sixty (60) day extension of all unexpired dates contained in the extension.

The basis for this request is that the parties are exploring potential settlement of this proceeding.

Pursuant to Trademark Rule 2.121(d), this stipulation sets forth the trial dates as requested to be reset:

- DISCOVERY PERIOD TO CLOSE: April 8, 2004
- 30-day testimony period for party in position of plaintiff to close: July 7, 2004
- 30-day testimony period for party in position of defendant to close: September 5, 2004
- 15-day rebuttal testimony period to close: October 20, 2004

Opposer's counsel, Gregory Kaihoi, consented to this request in a telephone conversation with the undersigned on February 5, 2004.

Pursuant to the Board's December 18, 2003 Order, Applicant advises as to the status of settlement. Counsel for the parties have discussed settlement on various occasions, including specific terms to be encompassed in a formal agreement. Moreover, Opposer's counsel forwarded a written proposal to Applicant's counsel setting forth specific terms. Recently, Applicant's counsel responded in writing with a series of very detailed, alternative terms.

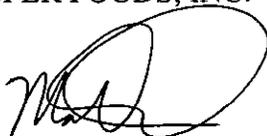
This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office.

This request is submitted in triplicate.

Respectfully submitted,

JASPER FOODS, INC.

By:



---

Simor L. Moskowitz  
Matthew J. Cuccias  
JACOBSON HOLMAN PLLC  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
(202) 638-6666

Dated: February 9, 2004  
Attorney Docket No. I-4128

Attorneys for Applicant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9<sup>th</sup> day of February, 2004, a true copy of the foregoing  
CONSENTED MOTION FOR EXTENSION OF TIME, in connection with the above-referenced  
proceeding was served by first-class mail, postage prepaid, upon counsel for Opposer:

Gregory Kaihoi, Esquire  
General Mills, Inc.  
Number One General Mills Boulevard  
Minneapolis, Minnesota 55426

A handwritten signature in black ink, appearing to read "Gregory Kaihoi", written over a horizontal line.