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

Applicant's Ref: DPSU 0308460

In the Matter of Application Serial No. 78/186,079
Published in the Official Gazette on July 22, 2003

CHINA MIST TEA COMPANY, an
Arizona corporation

Opposer,

- against -

DR PEPPER/SEVEN UP, INC., a
Delaware corporation,

Applicant.

Opposition No. 91158283



12-05-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

Box TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

**MOTION ON CONSENT FOR EXTENSION OF TIME
TO FILE ANSWER TO NOTICE OF OPPOSITION**

Applicant, pursuant to Rule 2.106(b)(2)(iv), and with the consent of Opposer, hereby moves for a forty-five (45) day extension of time, or until January 22, 2004, to answer or otherwise move in connection with the Opposition. The parties are currently discussing a possible resolution of this matter. This extension is sought in order to allow these discussions to continue.

Certificate of Express Mailing

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

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Barbara A. Solomon
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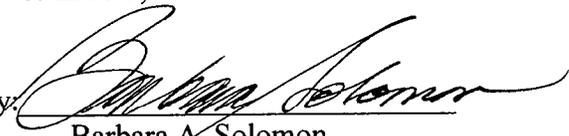
(Signature)

Counsel for Opposer, Glenn Bacal of the firm Quarles & Brady Streich Lang LLP consented to this request for an extension during a telephone conversation on Friday, December 5, 2003 at approximately 11:50 a.m. (EST).

Dated: New York, New York
December 5, 2003

Respectfully submitted,

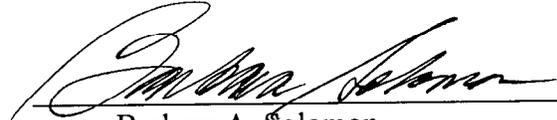
FROSS ZELNICK LEHRMAN
& ZISSU, P.C.

By: 

Barbara A. Solomon
Attorneys for Applicant
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion On Consent For Extension Of Time To File Notice Of Opposition was served by prepaid, first-class mail upon attorney for Opposer, Glenn S. Bacal, Esq. Quarles & Brady Stretch Lang LLP, Renaissance One, Two North Central Avenue, Phoenix, Arizona 85004-2391 this 5th day of December, 2003.



Barbara A. Solomon

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