

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

In the matter of: Serial No. 76/433515

Date of Filing: July 22, 2002

Mark: RESTAURANT MIKES
RESTAURANT & Design

Date of Publication: December 9, 2003


06-04-2004
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

Jersey Mike's Franchise Systems,
Inc.

Opposer

v.

Mikes Restaurants Inc.
Les Restaurants Mikes Inc.,

Applicant

Opposition No. 91160452
Serial No. 76/433515

MOTION FOR EXTENSION OF TIME

COMES NOW the Applicant, Mikes Restaurants Inc. Les Restaurants Mikes Inc., by and through its undersigned attorneys and files its Motion for Extension of Time and in support thereof alleges as follows:

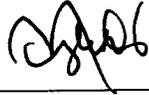
1. That the Applicant's Answer to the Opposer's Notice of Opposition is due June 19, 2004.
2. However, the Applicant wishes to retain a new attorney to handle the herein matter and additional time is required by the Applicant to transfer this matter to the new agent and representative for service, who, in turn, will also require time to complete investigations before filing an Answer to the Notice of Opposition.
3. As a result of the foregoing, the Applicant requests a thirty (30) day extension of time to file an Answer to the Notice of Opposition.
4. Counsel for the Opposer, Ms. Kathleen T. Gallagher-Duff, has verbally consented to the extension request in a June 1st, 2004 telephone conversation with the undersigned.

WHEREFORE, the Applicant, Mikes Restaurants Inc. Les Restaurants Mikes Inc., respectfully requests that the United States Department of Commerce, grant the Applicant a thirty (30) day extension of time to file its Answer in the above styled cause and for such other and further relief as this Court may deem just and proper.

I HEREBY CERTIFY that a copy of the foregoing Motion for Extension of Time has been sent via FedEx courier service, this 3rd day of June, 2004, to:
Kathleen T. Gallagher-Duff, Esq., Covington & Burling, 1201 Pennsylvania

Avenue, N.W. Washington, DC 20004-2401 and the United States Department of
Commerce, Patent and Trademark Office, Trademark Trial and Appeal Board,
2900 Crystal Drive, Arlington, Virginia 22202-3513.

By:



Mylene Dao
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Attorneys for the Applicant
Mikes Restaurants Inc.
Les Restaurants Mikes Inc.

Dated: June 3, 2004

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

Jersey Mike's Franchise Systems,
Inc.

Opposer,

v.

Mikes Restaurants Inc. Les
Restaurants Mikes Inc.,

Applicant.

RESTAURANT MIKES
RESTAURANT & DESIGN
Serial No. 76/433,515
Classes: 29, 30, 39 and 43

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion for a 30-Day Extension of Time to file an Answer to the Notice of Opposition was served on counsel for the Opposer, via FedEx courier service, this 3rd day of June, 2004 to the following address:

Kathleen T. Gallagher-Duff, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2401

By: _____



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TTP

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June 3, 2004

Via hand delivery

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U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3513

Attn: Trademark Trial and Appeal Board - NO FEE

Dear Sir/Madam:

RE: Motion for additional 30-day Extension of Time to File Answer to Notice of Opposition
Opposer: Jersey Mike's Franchise Systems, Inc.
Applicant: Mikes Restaurants Inc. Les Restaurants Mikes Inc.
Mark: RESTAURANT MIKES RESTAURANT & Design
Serial No.: 76/433515
Opposition: 91160452



06-04-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

We enclose herewith for filing in connection with the referenced opposition:

1. Motion for Extension of Time to File Answer to Notice of Opposition;
2. Certificate of Service;
3. Self-addressed, stamped postcard for acknowledgement of receipt of same.

Sincerely,

FLANSBERRY, MENARD & ASSOCIATES

Mylene Dao
Consultant – Trademarks

Encls.

I hereby certify that this correspondence is being deposited with FedEx Courier in an envelope addressed to: Assistant Commissioner for Trademarks, United States Patent and Trademark Office, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on June 3, 2004

Ms. Mylene Dao

Legal Counsel/Conseil légal: Robert G. Bales, B.A.Sc. (Mech. Eng./Ing. Méc.), L.L.B.

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