ESTTA Tracking number: **ESTTA10325**
Filing date: **06/17/2004**

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

Proceeding	91160460
Party	Defendant Stella & Chewy's LLC Stella & Chewy's LLC 59 West 73rd Street, Apartment A New York, NY 10023
Correspondence Address	John R. Wagner, Esq. Wagner, Davis & Gold, PC 99 Madison Avenue New York, NY 10016
Submission	Stipulated Request for a 45-Day Extension of Time to File Answer to Notice of Opposition
Filer's Name	John R. Wagner, Esq.
Filer's e-mail	jrwagner@wagnerdavis.com
Signature	/jrw-am/
Date	06/17/2004
Attachments	Stella & Chewy's - Stipulated Request for Extension of Time to Answer.tif (12 pages)

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FF ACQUISITION, L.L.C., Opposer, - against - STELLA & CHEWY'S LLC, Applicant.	Opposition No.: 91160460 Mark: FARM FRESH Serial No.: 78/222,155 Filing Date: March 5, 2003 Publication Date: November 4, 2003

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Commissioner:

In connection with the captioned matter, I am transmitting to you herewith the following documents:

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited with the United States Postal Service with sufficient postage as First-Class Mail in an envelope addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on this 17th day of June, 2004.

X Self-addressed stamped return postcard;
X Transmittal Letter in duplicate containing Certificate Under 37 CFR 1.8; and
X Stipulated Request for a 45-Day Extension of Time to File Answer to Notice of Opposition (original and two [2] copies).

By: _____
John R. Wagner

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WAGNER DAVIS P.C.

COUNSELLORS AT LAW

99 MADISON AVENUE, 11TH FLOOR

NEW YORK, NY 10016

TO:

WAGNER DAVIS P.C.

99 Madison Avenue

New York, New York 10016

Attention: John Wagner, Esq.

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FF ACQUISITION, L.L.C.,	Opposition No.: 91160460
Opposer,	Mark: FARM FRESH
- against -	Serial No.: 78/222,155
STELLA & CHEWY'S LLC,	Filing Date: March 5, 2003
Applicant.	Publication Date: November 4, 2003

STIPULATED REQUEST FOR A 45-DAY EXTENSION OF TIME TO FILE ANSWER TO NOTICE OF OPPOSITION

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Commissioner:

It is hereby stipulated by and between Stella & Chewy's LLC ("Applicant") and FF Acquisition, L.L.C. ("Opposer") through their respective counsel, the Trademark Trial and Appeal Board consenting thereto, that the time for filing an Answer to the Notice of Opposition of the referenced application, now set to expire on June 21, 2004 (inasmuch as June 20, 2004 is a Sunday), be extended for forty-five (45) days, up to and including August 5, 2004.

GOOD CAUSE:

Applicant has contacted counsel for Opposer in an attempt to resolve this matter short of filing an Answer. The additional time requested herein is required to complete this process.

Counsel for Applicant and counsel for Opposer discussed this forty-five (45) day extension of time for filing an Answer in a June 15, 2004 telephone conference. Counsel for each of the parties readily agreed to the extension, and counsel for Opponent further indicated that his concurrence to the extension could be specified in this Stipulation without the need for his corresponding signature.

This request for extension is not being made for the purpose of mere delay of the proceedings, and favorable consideration of the request is solicited.

Respectfully submitted,

STELLA & CHEWY'S LLC

By its attorneys,

Date: June 17, 2004

John R. Wagner
WAGNER DAVIS P.C.
99 Madison Avenue, 11th Floor
New York, New York 10016
(212) 481-9600

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing STIPULATED REQUEST FOR A 45-DAY EXTENSION OF TIME TO FILE ANSWER TO NOTICE OF OPPOSITION regarding Opposition No. 91160460 was served upon the following attorneys of record for Opponent by First-Class Mail, postage prepaid, this 17th day of June, 2004:

Andrew S. Ehard, Esq.
Merchant & Gould P.C.
P.O. Box 2910
Minneapolis, Minnesota 55402-9944

Scott W. Johnston, Esq.
Merchant & Gould P.C.
P.O. Box 2910
Minneapolis, Minnesota 55402-9944

John R. Wagner

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