

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

In re Application of

ROBERT MONDAVI WINERY

Serial No.: 78/085,018

Filed: September 21, 2001

Mark: **ROBERT MONDAVI PRIVATE
SELECTION and Design**

Published: October 7, 2003

In re Application of

ROBERT MONDAVI WINERY

Serial No.: 78/085,011

File: September 21, 2001

Mark: **ROBERT MONDAVI COASTAL
PRIVATE SELECTION and
Design**

Published: February 10, 2004

THE KROGER CO. OF MICHIGAN

Opposer,

v.

ROBERT MONDAVI WINERY,

Applicant.

Opposition Nos. 91159974
91160803 X

**STIPULATED MOTION TO
CONSOLIDATE AND REQUEST
FOR EXTENSION OF TIME TO
ANSWER NOTICES OF
OPPOSITION**

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: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on 7/16, 2004.

THELEN REID & PRIEST LLP Date: 7/16 /04

By: Carmella Giannelli
Name: Carmella Giannelli

Box TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Sir:

The parties hereby move to consolidate the subject Oppositions on the basis that the marks of the applications at issue are closely related and their belief that the issues to be decided are best treated in a single consolidated proceeding.

Applicant, Robert Mondavi Winery, hereby requests an extension of time, to and including August 18, 2004, within which to Answer the Notices of Opposition. This is for purposes of providing additional time for the parties to negotiate settlement. Settlement discussions are presently underway.

This motion and request is made with the consent of Opposer's counsel, Richard L. Kirkpatrick, which consent was given to Applicants' undersigned counsel in a telephone conference of July 16, 2004.

Respectfully submitted,

THELEN REID & PRIEST LLP

Dated:

June 16, 2004

By



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Please refer to our files No. 032699-377/259

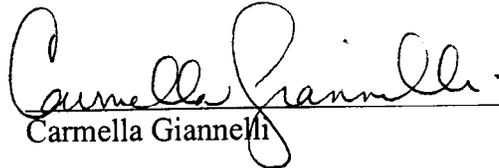
Serial Nos. 78/085,018 – 78/085,011

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the foregoing **STIPULATED MOTION TO CONSOLIDATE AND REQUEST FOR EXTENSION OF TIME TO ANSWER NOTICES OF OPPOSITION** is being served by First Class Mail, postage prepaid this 16th day of July, 2004, on the following:

Richard L. Kirkpatrick Esq.
Pillsbury Winthrop LLP
P.O. Box 7880
San Francisco, CA 94120

Executed this 16th day of July, 2004, at San Francisco, California.


Carmella Gianneli