

TTAB

35175/82

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

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SUPERVALU INC. :

Opposer, :

v. :

FRANCO MANUFACTURING CO., INC., :

Applicant. :

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Opposition No. 91161241

Application Serial No. 76/323,411

Filing Date: October 10, 2001

Publication Date: January 13, 2004

Trademark: SUPER VALUE

Box TTAB - No Fee
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

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Date of Deposit:	August 19, 2004
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Name:	Jane Williams
Signature:	<i>Jane Williams</i>



08-19-2004

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

MOTION UPON CONSENT FOR EXTENSION OF TIME TO FILE ANSWER

Dear Commissioner:

Applicant, Franco Manufacturing Co., Inc., upon consent of counsel for Opposer, Supervalu Inc. hereby moves to extend the time within which Applicant must answer for a period of thirty (30) days from August 22, 2004 up to and including September 21, 2004 to provide the parties time to explore settlement of this matter.

Scott W. Johnston, Esq., counsel for Opposer, consented to this Motion and the Extension by telephone on August 18, 2004.

An original and two copies of this Motion are submitted herewith.

A certificate of service upon counsel for Opposer is attached.

Respectfully submitted,

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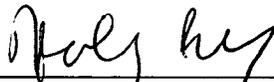
By: 
Holly Pekowsky

Dated: New York, New York
August 19, 2004

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that she is one of the attorneys for Applicant Franco Manufacturing Co., Inc. in the captioned action, and that on the date which appears below she served a copy of the annexed MOTION UPON CONSENT FOR EXTENSION OF TIME TO FILE ANSWER on Opposer Supervalu Inc. by causing a copy thereof to be placed in a depository under the care and custody of the United States Postal Service, First Class postage prepaid affixed thereto, addressed to the attorneys for Opposer, as follows:

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



Holly Pekowsky

Dated: August 19, 2004
New York, New York