

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

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SUPERVALU INC.,	:	
	:	Opposition No. 91161241
Opposer,	:	
	:	Application Serial No. 76/323,411
v.	:	Filing Date: October 10, 2001
	:	Publication Date: January 13, 2004
FRANCO MANUFACTURING CO., INC.,	:	Trademark: SUPER VALUE
	:	
Applicant.	:	

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TTAB

Attn: TTAB
Commissioner for Trademarks
Trademark Assistance Center
Madison East, Concourse Level Room C 55
600 Dulany Street
Alexandria, VA 22314

"Express Mail" mailing label No.:	EL 995563879 US
Date of Deposit:	October 20, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, Madison East, Concourse Level Room C 55, 600 Dulany Street, Alexandria, VA 22314.	
Name:	Jane Williams
Signature:	<i>Jane Williams</i>

**MOTION UPON CONSENT FOR
EXTENSION OF TIME TO FILE ANSWER**

Dear Commissioner:

Applicant, Franco Manufacturing Co., Inc., hereby moves to extend the time within which Applicant must answer up to and including November 19, 2004 to provide the parties time to explore settlement of this matter.



Counsel for Opposer consented to this Extension by telephone on October 19, 2004.

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

A certificate of service upon counsel for Opposer is attached.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
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New York, New York 10016
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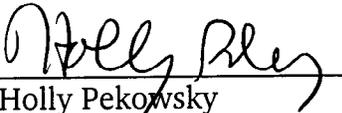
By: 
Holly Pekowsky

Dated: New York, New York
October 20, 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: October 20, 2004
New York, New York