

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (GENERAL)  
(With Certificate of Mailing by Express Mail)

Applicant/Registrant: Sybaritic, Inc. v. Thomas P. Muchisky  
Serial No.: 78/282,661  
Opposition No.: 91/163,999  
Trademark: Miscellaneous Design

Docket No.

TTAB

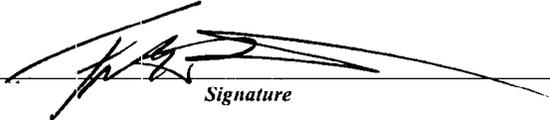
TO THE COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is/are the following document(s):

Entry of Appearance  
Motion for Extension of Time

- No fee is required.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- A check in the amount of \_\_\_\_\_ is attached.  
Any excess or insufficiency should be credited or debited to Deposit Account No. \_\_\_\_\_
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: Nov. 29, 2005

Frank B. Janoski  
Lewis, Rice & Fingersh, L.C.  
500 North Broadway, Suite 2000  
Box IP Department  
St. Louis, MO 63102

I certify that this document and fee is being deposited on November 29, 2005 with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

  
Signature of Person Mailing Correspondence

Kim Dorsey  
Typed or Printed Name of Person Mailing Correspondence



11-29-2005

ED 139545134 US

cc: Lionel L. Lucchesi U.S. Patent & TMO/c/TM Mail Rcpt Dt. #64

"Express Mail" Mailing Label Number

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

SYBARITIC, INC.	)	
	)	
Opposer,	)	
v.	)	Opposition No. 91/163,999
	)	Serial No. 78/282,661
	)	
THOMAS P. MUCHISKY,	)	
	)	
Applicant.	)	

**ENTRY OF APPEARANCE**

Comes now, Frank B. Janoski and Bridget Hoy, members in good standing in the bar of the Supreme Court of the State of Missouri, and hereby enter their appearance on behalf of Opposer Sybaritic, Inc.

Respectfully submitted,

**LEWIS, RICE & FINGERSH, L.C.**

By: \_\_\_\_\_

Frank B. Janoski

Bridget Hoy

500 North Broadway, Suite 2000

St. Louis, Missouri 63102-2147

Telephone: (314) 444-7600

Facsimile: (314) 241-6056

Nickolas E. Westman

Peter J. Ims

**WESTMAN, CHAMPLIN & KELLY, P.A.**

Suite 1400 – International Centre

900 Second Avenue South

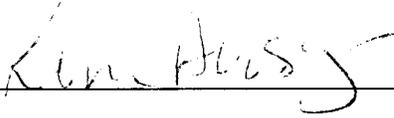
Minneapolis, MN 55402

Telephone: (612) 334-2222

Attorneys for Opposer Sybaritic, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Entry of Appearance has been served on counsel for Applicant Thomas P. Muchisky by mailing said copy on November 29, 2005 via First Class Mail, postage prepaid, to: Lionel L. Lucchesi, Polster, Lieder, Woodruff & Lucchesi, L.C., 12412 Powerscourt Drive, Suite 200, St. Louis, Missouri 63131.

  
\_\_\_\_\_

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

SYBARITIC, INC.	)	
	)	
Opposer,	)	
	)	Opposition No. 91/163,999
v.	)	Serial No. 78/282,661
	)	
THOMAS P. MUCHISKY,	)	
	)	
Applicant.	)	

**MOTION FOR EXTENSION OF TIME**

Opposer Sybaritic Inc. ("Sybaritic") hereby moves the Board, pursuant to 37 CFR § 2.120(a), for a thirty day extension of time, up to and including December 29, 2005, to respond to Applicant's First Requests for Admission to Opposer and Applicant's First Request for Production of Documents and Things to Opposer. Sybaritic sought Applicant's consent to this request for extension of time. Applicant would not agree to a thirty day extension but stated that it would agree to a ten day extension of time. Opposer requires thirty additional days due to the entry of new counsel, which is filed contemporaneous herewith.

WHEREFORE, Opposer Sybaritic Inc. requests a thirty day extension of time, up to and including December 29, 2005, to respond to Applicant's First Requests for Admission to Opposer and Applicant's First Request for Production of Documents and Things to Opposer.

Respectfully submitted,

**LEWIS, RICE & FINGERSH, L.C.**

By: 

Frank B. Janoski

Bridget Hoy

500 North Broadway, Suite 2000

St. Louis, Missouri 63102-2147

Telephone: (314) 444-7600

Facsimile: (314) 241-6056

Nickolas E. Westman

Peter J. Ims

**WESTMAN, CHAMPLIN & KELLY, P.A.**

Suite 1400 – International Centre

900 Second Avenue South

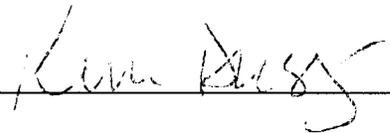
Minneapolis, MN 55402

Telephone: (612) 334-2222

Attorneys for Opposer Sybaritic, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Motion for Extension of Time has been served on counsel for Applicant Thomas P. Muchisky by mailing said copy on November 29, 2005 via First Class Mail, postage prepaid, to: Lionel L. Lucchesi, Polster, Lieder, Woodruff & Lucchesi, L.C., 12412 Powerscourt Drive, Suite 200, St. Louis, Missouri 63131.

  
\_\_\_\_\_