

TTAB

FRANKFURT KURNIT KLEIN & SELZ PC

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**EXPRESS MAIL CERTIFICATE**

"Express Mail" mailing label number EV001846066US  
Date of Deposit May 20 2005. I hereby certify that this paper  
or fee is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10  
on the date indicated above and is addressed to the Commissioner  
for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451.

Patricia M. Morales  
*Trademark Paralegal*  
Direct: (212) 705-4833  
E-mail: pmorales@fkks.com

Patricia M. Morales  
Print  
Patricia M. Morales  
Signature

May 20, 2005

**Via Express Mail**

Commissioner for Trademarks

P.O. Box 1451

Alexandria, VA 22313-1451

716 563 91

Re: Opposition No. 91164305  
Mark: **BUILD A BOOK**  
Classes: 40, 41  
Our Ref. No. 4704-0200-M215

Dear Sir/Madam:

We enclose herewith:

1. Motion to Extend Time to Answer Opposition on Consent; and
2. Postcard receipt.

This request is being submitted in triplicate as required by 37 CFR § 2.102(d). Please stamp the enclosed postcard to acknowledge receipt.

Respectfully submitted,

*Patricia M. Morales*

Patricia M. Morales

Enclosures



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

In the matter of:

Serial No. 76/563191  
Filed: November 20, 2003

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BUILD-A-BEAR RETAIL MANAGEMENT, INC.,

Opposer,

Opposition No. 91164305

v.

KLUTZ,

Applicant.

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Commissioner for Trademarks  
Attn: TTAB  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MOTION TO EXTEND TIME TO ANSWER OPPOSITION ON CONSENT**

Applicant, Klutz, a corporation organized under the laws of the State of California, located and doing business at 455 Portage Avenue, Palo Alto, California 94306, by and through its attorneys, hereby requests a thirty (30) day extension of time up to and including July 5, 2005, to answer the captioned Opposition. This extension is requested due to the fact that the parties are discussing settlement of this matter. Alan S. Nemes, Esq., counsel for Opposer, consented to this extension in a meeting on May 16, 2005.

Dated: May 20, 2005

Respectfully submitted,

FRANKFURT KURNIT KLEIN  
& SELZ, PC

By: 

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Edward H. Rosenthal  
488 Madison Avenue  
New York, NY 10022  
(212) 980-0120

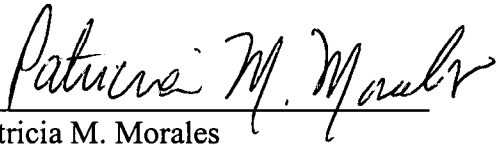
Attorneys for Applicant

CERTIFICATE OF SERVICE

I, Patricia M. Morales, certify that a copy of the foregoing Motion to Extend Time to Answer Opposition on Consent was served on:

Alan S. Nemes, Esq.  
Blackwell Sanders Peper Martin, LLP  
720 Olive Street, 24<sup>th</sup> Floor  
St. Louis, MO 63101

by placing same with the U.S. Postal Service, via first class mail, postage pre-paid, this 20<sup>th</sup> day of May 2005.



Patricia M. Morales  
Trademark Paralegal