

ESTTA Tracking number: **ESTTA436255**

Filing date: **10/17/2011**

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

Proceeding	91201511
Party	Defendant Premier Grocery, Inc.
Correspondence Address	FRANK G LONG GREENBERG TRAURIG LLP 2375 E CAMELBACK RD STE 700 PHOENIX, AZ 85016-9000 UNITED STATES
Submission	Motion to Extend
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Signature	/StevenBPowell/
Date	10/17/2011
Attachments	SECRET STASH Request for EOT to file answer 10-17-11.pdf ( 3 pages ) (67024 bytes )



6. Applicant respectfully asserts that allowing the additional 30 days for Applicant to file an answer would not result in prejudice to Opposer, since the discovery period has not yet begun and the late filing of Applicant's answer within the requested period would not shorten the amount of time permitted for Opposer to comply with any Board requirements in this proceeding.

7. Applicant's answer will assert, *inter alia*, that the SECRET STASH mark that is the subject of the opposition is not confusingly similar to Opposer's marks, due, at least in part, to the differences between the respective marks and the respective goods. Applicant therefore has a meritorious defense to the opposition.

The closing date for the extended period to file an Answer to Opposer's Notice of Opposition would be November 16, 2011.

WHEREFORE, the undersigned counsel prays that the present Request be approved and granted by the Board.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Dated: October 17, 2011

By: \_\_\_/StevenBPowell/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I, Steven B. Powell, hereby certify that on October 17, 2011, a true and correct copy of the foregoing Request for Extension of Time to File Answer was served by first class mail, postage prepaid to counsel for Opposer:

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\_\_\_\_\_/StevenBPowell/\_\_\_\_\_  
Steven B. Powell