



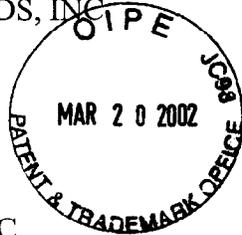
03-20-2002

TTAB

Box TTAB- No Fee
Docket No. 18614.0760

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

THE TURKEY STORE COMPANY,)
F/K/A JEROME FOODS, INC.)
Petitioner)
v.)
FLEMING COMPANIES, INC.)
Registrant)



Cancellation No. 32,206
Registration No. 2,320,816

APPLICATION FOR VOLUNTARY SURRENDER OF REGISTRATION

Pursuant to Section 7(e) of the Trademark Act of 1946, as amended, Registrant, Fleming Companies, Inc., hereby expressly surrenders United States Registration No. 2,320,816 of the mark CHICKEN STORE AND MORE ESTABLISHED 1995 & Design. The original Certificate of Registration is included herewith.

FLEMING COMPANIES, INC.

By: *W C M*

Name: William C. Mee
Vice President

Title: Vice President

Date: 3/14/02

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing Application for Voluntary Surrender of Registration was served on the following attorney for Petitioner by depositing same in the United States mail, first class, postage prepaid, this 20th day of March 2002:

James L. Vana, Esq.
Folcy & Lardner
777 East Wisconsin Avenue
Milwaukee, WI 53202-5367
414-297-5777

Carmine C. Smith

Int. Cls.: 29 and 35

Prior U.S. Cls.: 46, 100, 101 and 102

Reg. No. 2,320,816

United States Patent and Trademark Office

Registered Feb. 22, 2000

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER



FLEMING COMPANIES, INC. (OKLAHOMA CORPORATION)
P.O. BOX 26647
6301 WATERFORD BOULEVARD
OKLAHOMA CITY, OK 73126

FOR: PACKAGED FRESH MEATS AND PROCESSED, COOKED AND SMOKED MEATS; COOKED VEGETABLES; PROCESSED UNCOOKED VEGETABLES; PREPARED VEGETABLE SALADS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 3-1-1995; IN COMMERCE 3-1-1995.

FOR: RETAIL KIOSK SERVICES, NAMELY, A SECTION WITHIN A RETAIL SUPERMARKET OR OTHER RETAIL STORE WHICH FEATURES READY-MADE FOOD PRODUCTS,

NAMELY, PACKAGED FRESH MEATS; PROCESSED, COOKED AND SMOKED MEATS; FRESH AND COOKED VEGETABLES; PREPARED SALADS; AND DESSERT ITEMS, NAMELY, COOKIES, PIES AND CAKES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-1-1995; IN COMMERCE 3-1-1995.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHICKEN STORE" AND "ESTABLISHED 1995", APART FROM THE MARK AS SHOWN.

SER. NO. 75-568,026, FILED 10-9-1998.

KAREN M. STRYZ, EXAMINING ATTORNEY

The United States of America



CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.

The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.

A copy of the Mark and pertinent data from the application are part of this certificate.

This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.

SEAL

A handwritten signature in cursive script, reading "J. Todd Johnson".

Commissioner of Patents and Trademarks