

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

TTAB

The Harris Soup Company,
Applicant,

v.

Whole Foods Market IP, L.P.,
Registrant.

Concurrent Use No. 1242



09-16-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #61

**STIPULATED EXTENSION OF TIME
TO RESPOND TO DISCOVERY REQUESTS**

Pursuant to Rule 2.120(a) of the Trademark Rules of Practice, the parties hereby stipulate to an extension of time until October 11, 2002, to respond to the Requests for Production, Requests for Admission, and Interrogatories each has served on the other.

The purpose of the extension is to allow the parties to focus on settlement discussions. Should those discussions appear to be leading to settlement, the parties will file a motion to suspend this proceeding pending final resolution and submission to the Board. Should they not lead to settlement, before November 29, 2002 (the current date for close of discovery), the parties will file a request to reset discovery and testimony periods accordingly.

Respectfully submitted,

ESLER STEPHENS & BUCKLEY

By: Michael J. Esler
Michael J. Esler
Of Attorneys for The Harris Soup Company

THOMPSON & KNIGHT, LLP

By: Christopher L. Graff
Christopher L. Graff
Of Attorneys for Whole Food Market IP,
L.P.

TRADEMARK TRIAL AND
APPEAL BOARD

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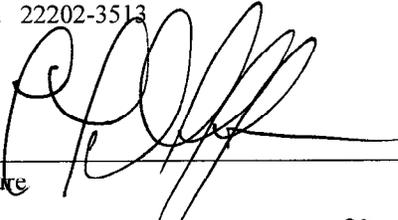
CERTIFICATE OF MAILING

I hereby certify that this Stipulated Extension of Time to Respond to Discovery Requests is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Box TTAB No Fee
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

on September 13, 2002.

Signature



Christopher W. Graff
Printed Name