



TTAB

Express Mail Mailing Label: EM409957421US

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

COPIES TO BE
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BOARD

3/24

**REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days. This is the first request for an extension of time in which to file an opposition.

Date: New York, New York
April 23, 1998

Respectfully submitted,
COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Mangari M. Datta
Mangari M. Datta

One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: EM409957421US

Request Under Rule 2.102 For
Extension of Time to File Opposition

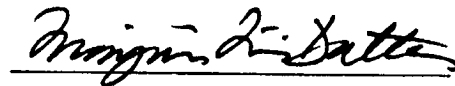
Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, and two copies thereof are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on April 23, 1998.

MANJARI M. DATTA

A handwritten signature in cursive script, reading "Manjari M. Datta", is written over a horizontal line.

April 23, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Manjari M. Datta
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

May 11, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **05/23/98**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter and confer with potential opposer.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Date: New York, New York
May 19, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: 
Manjari M. Datta

One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: **EM409957585US**

Request Under Rule 2.102 For
Extension of Time to File Opposition

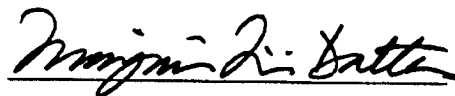
Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, and two copies thereof are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on May 19, 1998.

MANJARI M. DATTA

A handwritten signature in cursive script, reading "Manjari M. Datta", is written over a horizontal line.

May 19, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513


Manjari M. Datta
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

May 28, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **06/22/98**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment

Express Mail Mailing Label: EM409957449US

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

**REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days. This is the third request for an extension of time in which to file an opposition. The first request for a thirty (30) day extension of time to file an opposition was filed on April 23, 1998. The second request for a thirty (30) day extension of time to file an opposition was filed on May 19, 1998.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter and confer with potential opposer.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Date: New York, New York
June 10, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Manjari M. Datta
Manjari M. Datta

One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: EM409957449US

Request Under Rule 2.102 For
Extension of Time to File Opposition

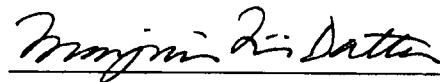
Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, and two copies thereof are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on June 10, 1998.

MANJARI M. DATTA

A handwritten signature in cursive script, reading "Manjari M. Datta", is written over a horizontal line.

June 10, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Manjari M. Datta
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

July 13, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **07/22/98**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment



07-07-1998

TTAB

Express Mail Mailing Label: EL080827892US

8.22.98

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

**REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days. This is the fourth request for an extension of time in which to file an opposition. The first request for a thirty (30) day extension of time to file an opposition was filed on April 23, 1998. The second request for a thirty (30) day extension of time to file an

opposition was filed on May 19, 1998. The third request for a thirty (30) day extension of time to file an opposition was filed on June 10, 1998.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

✓ Donald L. Zachary, Esq. of Bass Berry & Sims PLC, counsel for applicant, Service Merchandise Company, Inc., agreed to this thirty (30) day extension request in a teleconference with Herbert C. Ross, Jr., Esq. of Oppenheimer Wolff & Donnelly LLP, potential opposer's counsel, on July 2, 1998.

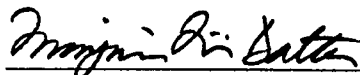
Date: New York, New York
July 7, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: 
Manjari M. Datta
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Request Under Rule 2.102 for an
Extension of Time to File an Opposition was mailed first-class, postage prepaid on July 7, 1998
to:

Donald L. Zachary, Esq.
Bass Berry & Sims PLC
2700 First American Center
Nashville, TN 37238-2700

Attorneys for Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: July 7, 1998

By: Manjari M. Datta
Manjari M. Datta
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: **EL080827892US**

Request Under Rule 2.102 For
Extension of Time to File Opposition

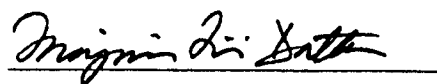
Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, and two copies thereof are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on July 7, 1998.

MANJARI M. DATTA

A handwritten signature in cursive script, reading "Manjari M. Datta", is written over a horizontal line.

July 7, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Manjari M. Datta
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

July 27, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **08/22/98**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment



08-07-1998

Express Mail Mailing Label: EL080828310US

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

**REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of forty-five days. This is the fifth request for an extension of time in which to file an opposition. The first request for a thirty (30) day extension of time to file an opposition was filed on April 23, 1998. The second request for a thirty (30) day extension of time to file an opposition was filed on May 19, 1998. The third request for a thirty (30) day extension of time

to file an opposition was filed on June 10, 1998. The fourth request for a thirty (30) day extension of time to file an opposition was filed on July 7, 1998.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

✓ Donald L. Zachary, Esq. of Bass Berry & Sims PLC, counsel for applicant, Service Merchandise Company, Inc., agreed to this forty-five (45) day extension request in a teleconference with Herbert C. Ross, Jr., Esq. of Oppenheimer Wolff & Donnelly LLP, potential opposer's counsel, on August 6, 1998.

Date: New York, New York
August 7, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on August 7, 1998 to:

Donald L. Zachary, Esq.
Bass Berry & Sims PLC
2700 First American Center
Nashville, TN 37238-2700

Attorneys for Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: August 7, 1998

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: EL080828310US

Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on August 7, 1998.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

August 7, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

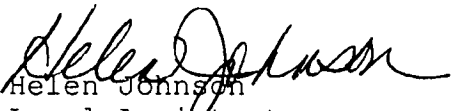
Manjari M. Datta
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

August 18, 1998

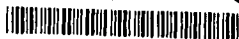
Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **10/06/98**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.


Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment



10-02-1998

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Express Mail Mailing Label: EM409956752US

TTAB

11.6.98

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

**REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

RECEIVED TTAB AND
APPEAL BOARD
93 OCT 21 AM 9:14

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days. This is the sixth request for an extension of time in which to file an opposition. The first request for a thirty (30) day extension of time to file an opposition was filed on April 23, 1998. The second request for a thirty (30) day extension of time to file an opposition was filed on May 19, 1998. The third request for a thirty (30) day extension of time

to file an opposition was filed on June 10, 1998. The fourth request for a thirty (30) day extension of time to file an opposition was filed on July 7, 1998. The fifth request for a forty-five (45) day extension of time to file an opposition was filed on August 7, 1998, and such request was granted by letter dated August 18, 1998.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

✓ Wendy L. Addiss, Esq. of Coudert Brothers, counsel for applicant, Service Merchandise Company, Inc., agreed to this thirty (30) day extension request in a teleconference with Herbert C. Ross, Jr., Esq. of Oppenheimer Wolff & Donnelly LLP, potential opposer's counsel, on October 1, 1998.

Date: New York, New York
October 2, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on October 2, 1998 to:

Wendy L. Addiss, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: October 2, 1998

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: **EM409956752US**

Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on October 2, 1998.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

October 2, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Manjari M. Datta
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

October 21, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **11/06/98**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment



Tab
1-16-99

12-02-1998

Express Mail Mailing Label: EM080829200US

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

1998
DEC 24
1998
DEC 24

**EIGHTH REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of forty-five (45) days from December 2, 1998 to and including January 16, 1999.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Cathy Lichter, Esq. of Coudert Brothers, counsel for applicant, Service Merchandise Company, Inc., agreed to this forty-five (45) day extension request in a teleconference with Herbert C. Ross, Jr., Esq. of Oppenheimer Wolff & Donnelly LLP, potential opposer's counsel, on December 2, 1998.

Date: New York, New York
December 2, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on December 2, 1998 to:

Cathy J. Lichter, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: December 2, 1998

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: **EM080829200US**

Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on December 2, 1998.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

December 2, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Herbert C. Ross, Jr.
Oppenheimer wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, NY 10022

November 17, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to oppose granted until
12/06/98.

Please do not hesitate to contact the undersigned for any questions relating to this
extension.



Helen Johnson
Legal Assistant,
Trademark Trial and
Appeal Board
(703) 308-9330 x136



Tab
1-16-99

12-02-1998

Express Mail Mailing Label: EM080829200US

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #34

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

1998
DEC 24
1998
DEC 24
1998
DEC 24
1998
DEC 24

**EIGHTH REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of forty-five (45) days from December 2, 1998 to and including January 16, 1999.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Cathy Lichter, Esq. of Coudert Brothers, counsel for applicant, Service Merchandise Company, Inc., agreed to this forty-five (45) day extension request in a teleconference with Herbert C. Ross, Jr., Esq. of Oppenheimer Wolff & Donnelly LLP, potential opposer's counsel, on December 2, 1998.

Date: New York, New York
December 2, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on December 2, 1998 to:

Cathy J. Lichter, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: December 2, 1998

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: **EM080829200US**

Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on December 2, 1998.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

December 2, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Herbert C. Ross, Jr.
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

December 22, 1998

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **01/16/99**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment



12-29-1998

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #94

Express Mail Mailing Label: EL080829195US

Tab 2-15-99

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

**NINTH REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days from January 16, 1999 to and including February 15, 1999.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Cathy Lichter, Esq. of Coudert Brothers, counsel for applicant, Service Merchandise Company, Inc., agreed to this thirty (30) day extension request in a teleconference with Herbert C. Ross, Jr., Esq. of Oppenheimer ✓ Wolff & Donnelly LLP, potential opposer's counsel, on December 28, 1998.

Date: New York, New York
December 29, 1998

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr. *h.*
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on December 29, 1998 to:

Cathy J. Lichter, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: December 29, 1998

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: EL080829195US

Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on December 29, 1998.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

December 29, 1998

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Herbert C. Ross, Jr.
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

January 6, 1999

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **02/15/99**.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
Tel.: (703) 308-9330 X136

Attachment

TTAB
3/17/99

Express Mail Mailing Label: EL306089826US

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

JK

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513



02-16-1999
U.S. Patent & TMOtc/TM Mail Rcpt Dt. #70

**TENTH REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days to and including March 17, 1999.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to investigate this matter, confer with potential opposer, and attempt to reach a settlement agreement with the applicant.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Cathy Lichter, Esq. of Coudert Brothers, counsel for applicant, Service Merchandise Company, Inc., agreed to this thirty (30) day extension request in a ~~tele~~conference with Herbert C. Ross, Jr., Esq. of Oppenheimer Wolff & Donnelly LLP, potential opposer's counsel.

Date: New York, New York
February 16, 1999

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Tenth Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on February 16, 1999 to:

Cathy J. Lichter, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: February 16, 1999

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: EL306089826US

Tenth Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on February 16, 1999.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

February 16, 1999

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

February 23, 1999

Applicant: Service Merchandis Company, Inc.
Serial No. 75/304,643
Filed: June 7, 1997
Mark: PREFERRED STOCK


Herbert C. Ross, Jr.
Oppenheimer Wolfee & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, NY 10022

Sir:

The request for further extension of time to oppose filed February 16, 1999 on behalf Coty US Inc. is granted, and said party is allowed until **March 17, 1999** in which to oppose the mark shown in the above-identified application.

However, no further extensions will be granted in the absence of a showing of what progress the parties have made toward resolving this matter.

Respectfully,


Legal Assistant,
Trademark Trial and
Appeal Board

cc:

Susan E. McHale
Coudert Brothers
1627 I Street, NW
Washington, DC 20006

Progress
Letter

TTAB
Express Mail Mailing Label: EL080894375US

9.16.99
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513



03-17-1999
U.S. Patent & TMOtc/TM Mail Rpt Dt. #70

**ELEVENTH REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of Coty US Inc., 237 Park Avenue, New York, New York 10017, it is requested that the time for filing an opposition to the above-identified application be extended for a period of thirty (30) days to and including April 16, 1999.

GOOD CAUSE

This request is made in order to permit counsel for potential opposer, Coty US Inc., additional time in which to attempt to reach a settlement agreement with the applicant and confer with potential opposer in the event that this matter cannot be settled. The following progress has been made by potential opposer Coty US Inc. and applicant Service Merchandise Company, Inc. toward resolving this matter: counsel for potential opposer and counsel for applicant have conferred on a settlement proposal made in writing by potential opposer with respect to this potential opposition and Opposition No. 108,854; as a result of such discussion, counsel for potential opposer has forwarded a revised settlement proposal to counsel for applicant; and counsel for potential opposer anticipates a response to that revised proposal shortly.

This extension request is not made for the purpose of mere delay, and formal approval of the extension is requested.

Cathy J. Lichter, Esq. of Coudert Brothers, counsel for applicant, Service Merchandise Company, Inc., has agreed to this motion and the thirty (30) day extension request made in this motion.

Date: New York, New York
March 17, 1999

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Eleventh Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on March 17, 1999 to:

Cathy J. Lichter, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: March 17, 1999

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: EL080894375US

Eleventh Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on March 17, 1999.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

March 17, 1999

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Herbert C. Ross, Jr.
Oppenheimer Wolff & Donnelly LLP
One Citicorp Center
153 East 53rd Street, 26th Floor
New York NY 10022-

March 24, 1999

Serial No.: 75304643

Attached please find a copy of a request to extend time to
oppose granted until **4/16/99** on behalf of potential opposer
Coty US Inc.

Please do not hesitate to contact the undersigned for any
questions relating to this extension.



Helen Johnson
Legal Assistant
Trademark Trial and Appeal Board
(703) 308-9330 X136
Attachment

TTAB

Express Mail Mailing Label: EL306078267US

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

In re Application of:

Applicant: Service Merchandise Company, Inc.

Serial No.: 75-304,643

Filed: June 7, 1997

Mark: PREFERRED STOCK

Official Gazette: March 24, 1998

Vol. 1208, No. 4,
page TM 214

Box TTAB NO FEE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

*Answer to
Progress letter*



04-15-1999

U.S. Patent & TMO/TM Mail Rpt Dt. #70

**TWELFTH REQUEST UNDER RULE 2.102 FOR
EXTENSION OF TIME TO FILE OPPOSITION**

On behalf of potential opposer, Coty US Inc. ("Potential Opposer"), 237 Park Avenue,
New York, New York 10017, it is requested that

- (a) any necessity for Potential Opposer to file additional requests to extend its time to oppose the above-identified application be suspended until thirty (30) days after receipt by the Trademark Trial and Appeal Board ("TTAB") and the undersigned counsel for Potential Opposer of written notice of: (i) the final dispositions of the bankruptcy proceedings (Case No. 99-02288 and Case No. 99-02649, United States Bankruptcy Court, Middle District of Tennessee) commenced against and

by applicant, Service Merchandise Company, Inc. ("Applicant"), or (ii) relief to Potential Opposer from the bankruptcy stay arising from the commencement of those proceedings, and

- (b) Potential Opposer's time for filing an opposition to the above-identified application be extended from April 16, 1999 to and including the date which is thirty (30) days after receipt by the TTAB and the undersigned counsel for Potential Opposer of written notice of: (i) the final dispositions of the aforesaid bankruptcy proceedings commenced against and by Applicant or (ii) relief to Potential Opposer from the bankruptcy stay arising from the commencement of those proceedings.

EXTRAORDINARY CIRCUMSTANCES

Extraordinary circumstances exist for the extension herein requested by reason of the filing of the bankruptcy petitions against and by Applicant. Specifically, an involuntary petition in bankruptcy was filed against Applicant on March 15, 1999 under 11 U.S.C. § 303 in the United States Bankruptcy Court for the Middle District of Tennessee (Nashville Division), Case No. 99-02288. Subsequently, on March 27, 1999, Applicant filed a voluntary petition in bankruptcy under 11 U.S.C. § 301, seeking bankruptcy relief, in the same court. The proceeding commenced by Applicant's petition has been assigned Case No. 99-02649, and a Bankruptcy Judge has ordered that Case No. 99-02288 and Case No. 99-02649 be jointly administered.

Pursuant to 11 U.S.C. § 362(a)(1), a petition filed under 11 U.S.C. § 301 or § 303

"operates as a stay, applicable to all entities, of --

- (1) the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title . . . "

Accordingly, by reason of the bankruptcy stay under 11 U.S.C. § 362(a)(1), Potential Opposer is unable to commence an opposition against the debtor (i.e., Applicant) with respect to App. Ser. No. 75-304,643. Thereby, extraordinary circumstances exist under § 2.102(c) of the Trademark Rules of Practice for the extension of time to file an opposition and other relief requested herein.

Prior requests to extend the time for Potential Opposer to oppose App. Ser. No. 75-304,643 were made in order to permit counsel for Potential Opposer additional time in which to attempt to reach a settlement agreement with Applicant and confer with Potential Opposer in the event that the matter could not be settled. Unfortunately, despite progress in settlement negotiations (which progress was reported in the eleventh request for an extension of time for Potential Opposer to file an opposition, dated March 17, 1999), the matter has not yet been resolved. Potential Opposer did not learn of the filing of the aforesaid petitions under 11 U.S.C. § 301 and § 303 until after the filing of the aforesaid eleventh request.

This extension request is not made for the purpose of mere delay, and formal approval of the extension sought herein is requested.

Date: New York, New York
April 15, 1999

Respectfully submitted,

COTY US INC.

By Its Attorneys,

OPPENHEIMER WOLFF & DONNELLY LLP

By: Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street, 26th Floor
New York, New York 10022
(212) 826-5000

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the annexed Twelfth Request Under Rule 2.102 for an Extension of Time to File an Opposition was mailed first-class, postage prepaid on April 15, 1999 to each of the following:

Wendy L. Addiss, Esq.
Coudert Brothers
1627 I Street, N.W.
Washington, D.C. 20006

Attorneys for Applicant Service Merchandise Company, Inc.

- and -

Bass Berry & Sims
2700 First American Center
Nashville, Tennessee 37238

Bankruptcy Counsel to Applicant Service Merchandise Company, Inc.

OPPENHEIMER WOLFF & DONNELLY LLP

Date: April 15, 1999

By: _____

Herbert C. Ross, Jr.
Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, New York 10022
(212) 826-5000

Attorneys for Coty US Inc.

CERTIFICATE OF MAILING
VIA EXPRESS MAIL

Express Mail Mailing Label: **EL306078267US**

Twelfth Request Under Rule 2.102 For
Extension of Time to File Opposition

Applicant: Service Merchandise Company, Inc.

Mark: PREFERRED STOCK

App. Ser. No.: 75-304,643

I hereby certify that the above identified correspondence, which is attached, two copies thereof, and the certificate of service are being mailed by Express Mail, postage prepaid, addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on April 15, 1999.

HERBERT C. ROSS, JR.

Herbert C. Ross, Jr.

April 15, 1999

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

May 26, 1999

Applicant : Service Merchandise Company, Inc.
Serial No.: 75/304,643
Filed : June 7, 1997
Mark : PREFERRED STOCK

Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, NY 10022

*Hold file
Bankruptcy
(leave on
shelf)*

Dear Sir:

The request to suspend and extend filed by potential opposer, Coty US Inc., on April 15, 1999 is noted.

Inasmuch as applicant is involved in bankruptcy proceedings, the request is granted to the extent that potential opposer is granted a **30-day extension of time in which to file an opposition, and the running of that time is suspended pending notification to the Board of the final disposition of the bankruptcy proceedings**, or relief to potential opposer from the bankruptcy stay arising from the commencement of those proceedings.

It may be that applicant's subject application will be abandoned during the course of the bankruptcy proceeding. If there is no abandonment, counsel for applicant should promptly advise the Board, in writing, of the final disposition of the bankruptcy proceedings. However, potential opposer should periodically check on the progress of these proceedings, and promptly notify the Board, in writing, if it learns of the final disposition of the proceedings, or of relief to potential opposer from the bankruptcy stay.

*Hold
Bankruptcy*

At such time as the Board is notified, in writing, of the final disposition of the bankruptcy proceedings, proceedings with respect to the potential opposition will be resumed, and potential opposer will be allowed 30 days in which to file an opposition.

Respectfully,



Helen L. Johnson
Legal Assistant
Trademark Trial and Appeal Board
Tel. (703) 308-9300 x 136

cc:

Wendy L. Addiss
Coudert Brothers
1627 I Street, NW
Washington, DC 20006

Bass Berry & Sims
2700 First American Center
Nashville, TN 37238

William C. P'ool
Service Merchandise Co., Inc.
P.O. Box 24600
Nashville, TN 37202

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

March 21, 2002

Applicant: Service Merchandise Company, Inc.
Serial No. 75/304,643
Filed: June 7, 1997
Mark: **PREFERRED STOCK**

Herbert C. Ross, Jr.
One Citicorp Center
153 East 53rd Street
New York, NY 10022


Sirs:

The Board on May 26, 1999 suspended proceeding in this application file pending bankruptcy proceedings.

During the suspension period, the Board has not received word from either party concerning the status of their bankruptcy proceedings.

The parties are allowed until **thirty days** from the mailing date of this order to inform the Board of the status of the bankruptcy case which occasioned the suspension of this application file.

Respectfully,


Helen Johnson
Legal Assistant,
Trademark Trial and Appeal Board
(703)308-9300, Ext. 136
cc:

Bass Berry & Sims
2700 First American Center
Nashville, TN 37238

Susan E. McHale
Coudert Brothers
1627 I Street NW
Washington, DC 20006

William C. Pool
Service Merchandise Co., Inc.
P.O. Box 24600
Nashville, TN 37202

17A13

PAUL G. JENNINGS
TEL: (615) 742-6267
FAX: (615) 742-2767
pjennings@bassberry.com

BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

www.bassberry.com

OTHER OFFICES:

NASHVILLE MUSIC ROW
KNOXVILLE
MEMPHIS

April 5, 2002

US MAIL DELIVERY

Ms. Helen Johnson
United States Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA. 22202-3513



04-08-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

Re: Service MERchandise Company, Inc.

Dear Ms. Johnson:

I am writing in response to your letter dated March 21, 2002, that my firm, Bass, Berry & Sims PLC, was copied on. Please be advised that Service Merchandise Company, Inc.'s and its related entities' (the "Debtors") Chapter 11 proceeding continues in the United States Bankruptcy Court for the Middle District of Tennessee. The Debtors' exclusive period for filing a plan under Chapter 11 has been extended by order of the court until January 30, 2002. If you need additional information from me please do not hesitate to contact me.

Sincerely,

Paul G. Jennings

cc: Steve Moore
PGJ:mf

PAUL G. JENNINGS
TEL: (615) 742-6267
FAX: (615) 742-2767
pjennings@bassberry.com

BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

www.bassberry.com

OTHER OFFICES:

NASHVILLE MUSIC ROW
KNOXVILLE
MEMPHIS

April 10, 2002

U.S. MAIL DELIVERY

Ms. Helen Johnson
United States Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA. 22202-3513

04-16-2002
U.S. Patent & TMO/TM Mail Rpt Dt. 027

02 APR 22 PM 5:12

Re: Service Merchandise Company, Inc.

Dear Ms. Johnson:

Again, I am writing in response to your letter dated March 21, 2002, that my firm, Bass, Berry & Sims PLC, was copied on. I previously responded to your letter by letter dated April 5. As I stated in my previous letter, Service Merchandise Company, Inc.'s and its related entities' (the "Debtors") Chapter 11 proceedings continue in the United States Bankruptcy Court for the Middle District of Tennessee. My earlier letter incorrectly stated that the Debtors' exclusive period for filing a plan under Chapter 11 has been extended by order of the court until January 30, 2002; the correct date is September 30, 2002. If you need additional information from me, please do not hesitate to contact me.

Sincerely,

Paul G. Jennings

cc: C. Steven Moore
PGJ:ljs

2280170.1

PGJ:mf

2279087.1

T.P.B

service

MERCHANDISE

P.O.Box 24600 Nashville, TN 37202-4600 tel. 615.660.6000 servicemerchandise.com



04-15-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #26

April 10, 2002

Helen Johnson, Legal Assistant
United States Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

Re: "Preferred Stock" trademark
SN: 75/304,643

TRADEMARK TRIAL AND
APPEAL BOARD
02 APR 24 PM 9:22

Dear Ms. Johnson:

This letter is to advise the Trademark Trial and Appeal Board that Service Merchandise Company, Inc.'s bankruptcy case remains active and the property involved in the above referenced proceeding remains involved in the bankruptcy case. The proceedings before the Trademark Trial and Appeal Board should remain stayed.

Please let me know if you should have any questions in this regard.

Sincerely,

SERVICE MERCHANDISE CO., INC.

S. Victoria Harvey
S. Victoria Harvey
Asst. Secretary & Senior Legal Counsel

svh:tjl

cc: Herbert C. Ross, Jr.
Counsel for Coty US Inc.

wp/vh/ltr to Helen Johnson re Preferred Stock 0410.02.doc

K

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

August 26, 2002

Applicant: Service Merchandise Company, Inc.
Serial No. 75/304,643
Filed : June 7, 1997
Mark : PREFERRED STOCK

Herbert C. Ross
Oppenheimer Wolff & Donnelly LLP
The Chrysler East Bldg. Suite 1900
666 Third Avenue
New York, NY 10017

*Bankruptcy
Continued
Proceedings
Remain Suspended*


Sirs:

The Board has been notified on April 8, 2002 by Bass, Berry & Sims Plc and also on April 15, 2002 by Service Merchandise that the above application is still involved in bankruptcy proceeding.

Since the Board has been notified of the status of the bankruptcy proceeding, the potential opposition proceeding before the Board will *remain in suspended*.

At such time as the Board is notified, in writing, of the final disposition of the bankruptcy proceedings, proceedings with respect to the potential opposition will be resumed, and potential opposer will be allowed 30 days in which to file an opposition.

Respectfully,


Legal Assistant
Trademark Trial and Appeal Board
Tel. (703) 308-9300 x 136

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