

05/27/2003 17:28
USPTO

UNITED STATES PATENT AND TRADEMARK OFFICE

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Receipt

Your request for extension of time to file an opposition has been received by USPTO. The contents of your request is listed below:

ESTTA Tracking number: **ESTTA2038**

Filing date: **06/26/2003**

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

Applicant: **Castle Wine and Brandy Company Limited**
Application Serial Number: **76017244**
Application Filing Date: **04/04/2000**
Mark: **B BERNINI BERNINI**
Date of Publication **05/27/2003**

First extension

Pursuant to 37 C.F.R. Section 2.102, Nash-Finch Company, 7600 France Avenue South, Minneapolis, MN 55435, US, a corporation organized under the laws of state of Delaware, through its undersigned attorney, respectfully requests that it be granted a 30-day extension of time to file a notice of opposition against the above-identified mark.

The mark was published for opposition on 05/27/2003, the opposition period being set to expire on 06/27/2003. Nash-Finch Company requests extension of the opposition period to 30 days from such date, namely to 07/26/2003. *as*

Respectfully submitted,

/John A. Clifford/ 06/26/2003
John A. Clifford
Merchant & Gould
3200 IDS Center 80 S. 8th St.
Minneapolis, MN 55402, US
jclifford@merchant-gould.com
612-336-4616

PTO-2120 (Exp. 5/31/2004)
OMB No. 0651-0009 (Exp. 5/31/2004)

Return to ESTTA forms

<http://estta.uspto.gov/ret/p.jsp>

06/26/2003

09/05/2003 11:48

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09/05/2003 TTAB

Merchant & Gould

An Intellectual Property Law Firm

P.O. Box 2910
Minneapolis, Minnesota
55402-0910
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

Direct Contact | John A. Clifford
612.336.4616

A Professional Corporation

Bankers Trust Company,
Opposer,
v.
Castle Wine and Brandy Company Limited,
Applicant.

second extension

Mark: B BERNINI BERNINI
Serial No.: 76/017,244
Docket Number: 1183.58-US-02
Official Gazette: May 27, 2003

Due Date: July 26, 2003
Filing Date: April 4, 2000

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, VA 22202-3513, on July 25, 2003.

By: 
Name: John A. Clifford


Commissioner for Trademarks
Box TTAB
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Commissioner:

We are transmitting herewith the attached:

- Return postcard.
- Transmittal Sheet in duplicate containing Certificate Under 37 C.F.R. 1.8
- 30-Day Request for Extension of Time for filing a Notice of Opposition (Original and 2 Copies).

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

By: 
Name: John A. Clifford
Reg. No.: 30,247
JAc/aes

(CONTESTED MATTER)

09/05/2003 TTAB

M&G 1183.58-US-02

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

In the Matter of:

Application Serial No.: 76/017,244

Applicant: Castle Wine and Brandy Company Limited

Trademark: B BERNINI BERNINI

Official Gazette: May 27, 2003

Filing Date: April 4, 2000 ³⁰

REQUEST FOR A ~~60~~ 30-DAY EXTENSION OF TIME
TO FILE NOTICE OF OPPOSITION

To the Commissioner for Trade ^{Wrong name}
ATTN: BOX TTAB ^{Should be}
2900 Crystal Drive ^{Nash-Finch}
Arlington, VA 22202-3513 ^{COMPANY}

Dear Commissioner:

^{thirty (30)} On behalf of Bankers Trust Company, it is respectfully requested that a ~~sixty (60)~~ day extension of time, up to and including August 25, 2003, be granted within which to oppose the above-identified application.

GOOD CAUSE:


Publication of the subject application was only recently observed by the undersigned trademark counsel for the prospective opposer and there has not been sufficient time to complete an investigation, review the application file, meet with management for the prospective opposer and otherwise obtain the information necessary to determine whether to oppose, and if so, to prepare a Notice of Opposition.

09/05/2003TTAB

This request for extension is not being made for the purpose of mere delay of the proceedings, and favorable consideration of the request is submitted.

By its Attorneys,

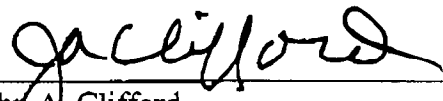
Date: July 25, 2003


John A. Clifford
MERCHANT & GOULD P.C.
P.O. Box 2910
Minneapolis, MN 55402-0910
612.336.4616

CERTIFICATE OF MAILING

I hereby certify that this REQUEST FOR A 60-DAY EXTENSION OF TIME TO FILE NOTICE OF OPPOSITION regarding Application Serial No. 76/017,244, filed April 4, 2000 is being deposited with the United States Postal Service 1st Class Mail, in an envelope addressed to Commissioner for Trademarks, Attn: T.T.A.B., 2900 Crystal Drive, Arlington, VA 22202-3513 on this 25th day of July 2003.

Date: July 25, 2003


John A. Clifford

09/05/2003TTAB

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

Bankers Trust Company,)
Opposer,)
v.)
Castle Wine and Brandy Company Limited,)
Applicant.)

Mark: B BERNINI BERNINI
 Serial No.: 76/017,244
 Docket Number: 1183,58-US-02
 Official Gazette: May 27, 2003

Due Date: July 26, 2003
 Filing Date: April 4, 2000

- Return postcard.
- Transmittal Sheet in duplicate containing Certificate Under 37 C.F.R. 1.8
- 30-Day Request for Extension of Time for filing a Notice of Opposition (Original and 2 Copies).

JAc/aes
 Date Mailed: July 25, 2003

Trademark

09/05/2003TTAB

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Minneapolis, Minnesota
55402-0910
TEL 612.332.5300
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www.merchant-gould.com

Direct Contact | John A. Clifford
612.336.4616

A Professional Corporation

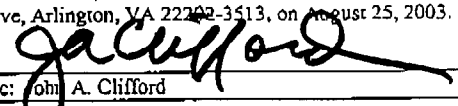
Nash Finch Company,)
Opposer,)
v.)
Castle Wine and Brandy Company Limited,)
Applicant.)

third extension

Mark: B BERNINI BERNINI
Serial No.: 76/017,244
Docket Number: 1183.58-US-02
Official Gazette: May 27, 2003

Due Date: August 25, 2003
Filing Date: April 4, 2000

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, VA 22202-3513, on August 25, 2003.

By: 
Name: John A. Clifford

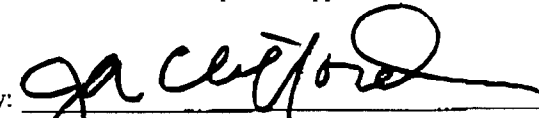
Commissioner for Trademarks
Box TTAB
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Commissioner:

We are transmitting herewith the attached:

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By: 
Name: John A. Clifford
Reg. No. 30,247
JAC/aes

(CONTESTED MATTER)

Merchant & Gould

An Intellectual Property Law Firm

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 55402-2215 USA
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 FAX 612.332.9081
www.merchant-gould.com

Fax Transmission | August 28, 2003

To:	Helen Johnson	From:	John A. Clifford
Company:	USPTO	Our Ref.:	1183.58-US-02
Your Ref:	76/017,244	Fax No.:	612.332.9081
Fax No.:	703.308.9333	Phone No.:	612.336.4616
State/Country:	Virginia	Total Pages:	12 (including this page)
Confirmation Via Mail:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	E-Mail:	jclifford@merchant-gould.com
		Return Fax To:	Annie Styles

Document Transmitted: Copies of 3, 30-day extensions of time.

Message: Please review the second 30-day extension of time we filed on July 26, 2003. We used the wrong Opposer's name, Bankers Trust Company. It should have been Nash-Finch Company. As you can see from a database printout the assignee is Bankers Trust Company.

This transmission contains information that is confidential and/or legally privileged. It is intended for use only by the person to whom it is directed. If you have received this telecopy in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us.

If you did NOT receive all of the pages, please call us in the U.S.A. at 612.336.4664 or fax us at 612.332.9081.

09/05/2003TTAB

09/05/2003TTAB

4 of 4 Complete record
04027505 -- TRADEMARKSCAN(r)-Federal
BERNINI

INTL CLASS: 30 (Staple Foods)
US CLASS: 46 (Foods & Ingredients of Foods)
STATUS: Renewed
GOODS/SERVICES: PREPARED PIZZA
SERIAL NO.: 74-027,505
REG. NO.: 1,620,244
REGISTERED: October 30, 1990
FIRST USE: June 2, 1987 (Intl Class 30)
FIRST COMMERCE: June 2, 1987 (Intl Class 30)
FILED: February 9, 1990
PUBLISHED: August 7, 1990
RENEWED IN OG: April 10, 2001
AFFIDAVIT SEC.: 8-15

ORIGINAL APPLICANT: NASH-FINCH COMPANY (Delaware Corporation), 3381 GORHAM AVE.,
MINNEAPOLIS, MN (Minnesota), 55426, USA (United States of America)
OWNER AT PUBLICATION: NASH-FINCH COMPANY (Delaware Corporation), 3381 GORHAM AVE.,
MINNEAPOLIS, MN (Minnesota), 55426, USA (United States of America)
ORIGINAL REGISTRANT: NASH-FINCH COMPANY (Delaware Corporation), 7600 FRANCE AVENUE SOUTH,
MINNEAPOLIS, MN (Minnesota), 55435, USA (United States of America)
RENEWAL OWNER: NASH-FINCH COMPANY (Delaware Corporation), 7600 FRANCE AVENUE SOUTH,
MINNEAPOLIS, MN (Minnesota), 55435, USA (United States of America)
Renewed: October 30, 2000
ASSIGNEE(S): BANKERS TRUST COMPANY (Collateral agent), 130 LIBERTY STREET, NEW YORK, NY
(New York), 10006, USA (United States of America)
Assignor(s): NASH-FINCH COMPANY (Delaware Corporation)
Reel/Frame: 2228/0637
Recorded: February 2, 2001
Brief: SECURITY INTEREST
FILING CORRESPONDENT: JOHN A. CLIFFORD , JOHN A. CLIFFORD, MERCHANT AND GOULD, P.C., P.O.
BOX 2910, MINNEAPOLIS, MN 554020910