

TTAB



07-11-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #71

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

FITNESS FOODS, INC., and  
GFA BRANDS, INC.,

Opposers,

v.

ConAgra Brands, Inc.

REQUEST FOR EXTENSION  
OF TIME TO OPPOSE

Mark: SMART CHEESE

Application Serial No. 76/111,753

Published: May 28, 2002

I hereby certify that this paper is being  
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7-10-02 Frank Frank  
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TRADEMARK TRIAL AND  
APPEAL BOARD  
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Pursuant to 15 USC 1063 and 37 C.F.R 2.102, Fitness Foods, Inc. (a Delaware corporation) having a business address at P.O. Box 397, 211 Knickerbocker Road, Cresskill, N.J. 07626-0397 and GFA Brands, Inc. (an Ohio corporation) having a business address at P.O. Box 397, 211 Knickerbocker Road, Cresskill, N.J. 07626-0397, potential opposers herein, through its authorized attorneys, request that they be granted a sixty (60) day extension of time within which to file an opposition against applicant ConAgra Brands, Inc., regarding the mark SMART CHEESE. This mark was published for opposition in the Official Gazette of the United States Patent and Trademark Office on May 28, 2002, as Application Serial No. 76/111,753 in International Class 29. Potential Opposer has filed a First Request for Extension of time seeking a sixty (60) day extension through August 26, 2002 in which to oppose the

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above-identified mark. No response to this request has been received from the TTAB.

Accordingly, potential Opposer now requests that the extension be granted through September 10, 2002.

Potential Opposer has written to Applicant's counsel and is now awaiting a formal response, which we expect should be provided in the near future. Potential Opposer is investigating this matter further and needs the additional time to continue communicating with Applicant's counsel in an attempt to learn more particulars about Applicant's trademark and product in order to try to resolve this matter without a formal opposition. This request is made for good cause and not for purposes of delay. This request is being filed in triplicate (original plus two copies).

Respectfully submitted,

Dated: July 10, 2002

  
John L. Ambrogi

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Attorneys for Fitness Foods, Inc.  
and GFA Brands, Inc.