

TTAB

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

In re application of: Rico Frozen Foods, Inc)
Serial No.: 76/112,086)
Filing Date: August 18, 2002)
International Class: 29)
For: Trademark, RICO MADE WITH A)
MAGIC TOUCH!)

Trademark


09-30-2002
U.S. Patent & TMO/TM Mail Rcpt Dt. #74

Box TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on: September 27, 2002
Catherine Ashley Straight
Signature: Catherine Ashley Straight
Date of Signature: September 27, 2002

TTAB TRIAL AND APPEAL BOARD
SEP 27 9:44 PM '02

SECOND REQUEST FOR
EXTENSION OF TIME TO OPPOSE REGISTRATION

Sir:

Pursuant to Trademark Rule 2.102, Rico's Pizza, Inc., potential opposer herein, through its authorized attorneys, requests that it be granted a second thirty (30) day extension of the time in which to file an opposition against applicant Rico Frozen Foods, Inc., regarding the mark, RICO MADE WITH A MAGIC TOUCH. This mark was published for opposition in the Official Gazette of the United States Patent and Trademark Office on July 30, 2002 as Serial No. 76/112,086, in International Class 29, for the following goods:



Frozen Italian Foods, Namely, Tortellini, Rigatoni, Pasta, Shells, Lasagna, Manicotti, Pizza Crust, Tortelloni, Cavatelli, Gnocchi, Garlic Bread And Pizza Dough. The opposition period expired on August 29, 2002, and potential opposer timely requested that a thirty day extension of time to oppose be granted, extending the deadline to September 28, 2002. Potential opposer hereby requests that a second thirty day extension of time be granted, extending the deadline to October 28, 2002.

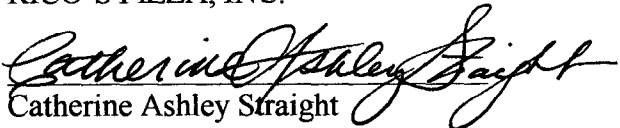
Good cause for such extension is shown in that the prospective opposer needs extended time in which to investigate the above-identified application and assess the matter of protecting prospective opposer's rights in its mark and the propriety of filing a Notice of Opposition.

This request for extension of time is made in good faith and not for the purpose of unnecessary delay. It is respectfully requested that the extension be granted.

Dated: September 27, 2002

Respectfully submitted,

RICO'S PIZZA, INC.

By: 
Catherine Ashley Straight
Attorneys for Rico's Pizza, Inc.

Enclosures: Two copies of Second Request For
Extension Of Time To Oppose Registration
Receipt Card

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