

TTAB

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

**In re Application of**

Menu' S.R.L., 41036  
Medolla (MO), Italy  
**Serial No.:** 76/200,409

**Filed:** January 25, 2001

**Mark:** MENU AND DESIGN

**Published In The Official Gazette Of:**

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10-27-2003

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

FIRST REQUEST FOR EXTENSION OF TIME  
TO FILE NOTICE OF OPPOSITION

BOX TTAB NO FEE  
HONORABLE COMMISSIONER OF TRADEMARKS  
2900 Crystal Drive  
Arlington, VA 22202

Sir:

Your Petitioner, KELLOGG COMPANY, a corporation duly organized and existing under the laws of Delaware, having its principal place of business at One Kellogg Square, P. O. Box 3599, Battle Creek, Michigan 49016-3599, through its undersigned counsel, hereby respectfully requests a 90-day extension of time to file a verified Notice of Opposition, to and including **January 21, 2004** against the above-identified application.

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, BOX NO FEE, 2900 Crystal Drive, Arlington, VA 22202 on:

October 23, 2003

Kellogg Company

Date

Beth Palmer  
Signature

October 23, 2003

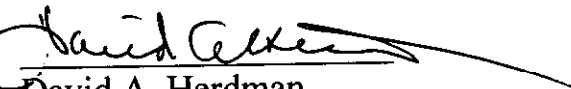
Date

The reason for this request is that additional time is required to further investigate this matter and to discuss it with our brand management. Because of additional conflicting demands of U.S. and international litigation it is anticipated that in-house counsel and management will need additional time to discuss the disposition of this case. For this reason, we request the additional extension of time to prepare the necessary papers and to secure their execution by the Petitioner, if we deem it appropriate.

The request is not made for the purposes of unduly delaying proceedings in the Patent and Trademark Office.

This request is made in triplicate.

Respectfully submitted,  
KELLOGG COMPANY

By:   
David A. Herdman  
Corporate Counsel

**Date: October 23, 2003**  
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