

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

In re the Application of:  
Menu Sr. L.

**TTAB**

Application Serial Number: 76/200,409  
Filed: January 25, 2001  
Mark: MENU & DESIGN

Published in the Official Gazette  
Of September 23, 2003, Vol. 1274 No. 4, Page TM49

Honorable Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Dear Commissioner:

**REQUEST FOR FURTHER EXTENSION TIME TO**  
**FILE NOTICE OF OPPOSITION (WITH CONSENT)**


Petitioner Kellogg Company, and its related and/or affiliated companies, through its undersigned counsel, hereby respectfully requests a further one (1) month extension of time to file a Notice of Opposition, to and including **September 21, 2004**, against the above-identified application.

The reason for this request is that additional time is required to permit Petitioner and Applicant to conduct settlement discussions, in hopes of avoiding the necessity for an opposition.

This request was agreed to by attorney for Applicant, Mr. Michael Grow, in a conversation with Beth Zalner, Paralegal, for opposer on August 21, 2004.

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

August 21, 2004  
Date

  
Signature

Kellogg Company

August 21, 2004  
Date




08-26-2004

**GOOD CAUSE**

This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office; to the contrary, it is to allow the parties to continue and potentially complete discussions to resolve this matter. Applicant's counsel advises that he awaits comments/direction from his client.

This request is submitted in triplicate.

Respectfully Submitted,  
KELLOGG COMPANY

By: 

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Date: August 21, 2004