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U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

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

In re the Application of:
Recot, Inc.

Application Serial No.: 76/301,451
Filed: August 17, 2001

MARK: FUEL YOUR DAY

Published in the Official Gazette
Of August 20, 2002, Vol. 1261,
No. 3, Pg. TM227

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

Dear Commissioner:

SEARCHED
SERIALIZED
INDEXED

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 1 month extension of time to file a Notice of Opposition, to and including **January 18, 2003**, against the above-identified application.

The reason for this request is that additional time is required to permit Petitioner and Applicant to discuss a possible settlement proposal, which may lead to resolution of Petitioner's concerns, in an effort to avoid an opposition.

I hereby certify that this correspondence is being deposited with 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:
Dec. 18, 2002

Date

Beth Zahner
Signature

Kellogg Company

Dec. 18, 2002
Date

This request was agreed to by Applicant's counsel, Ms. Kelly Tullhier, in a conversation with David Herdman, Corporate Counsel, for Petitioner on December 17, 2002.

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 complete settlement discussions.

This request is submitted in triplicate.

Respectfully Submitted,
KELLOGG COMPANY

By: 

John W. Marsh Jr.
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Date: December 18, 2002