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11-07-2002

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

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

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

Opposers,

v.

GENERAL CONTAINER COMPANY, LLC.

Applicant.

) JOINT REQUEST FOR EXTENSION OF
) TIME TO OPPOSE PURSUANT TO
) STIPULATION AND CONSENT OF THE
) PARTIES UNDER 37 C.F.R. 2.102(C)

) Application Serial No. 76/347782
) Published: August 13, 2002

) I hereby certify that this paper is being deposited with the
) United States Postal Service, postage prepaid, as Express Mail
) in an envelop addressed to: Assistant Commissioner of
) Trademarks, 2900 Crystal Drive, Arlington, VA 22202 on this
) date.

November 7, 2002
Express Mail Label No. EL 71788003 US

David B. Parn

RECEIVED TRADEMARK TRIAL AND APPEAL BOARD
11/9/21

Pursuant to 15 USC 1063 and 37 C.F.R 2.102(c), Fitness Foods, Inc. (a Delaware corporation having a business address at P.O. Box 397, 211 Knickerbocker Road, Cresskill, New Jersey 07626-0397) and GFA Brands, Inc. (an Ohio corporation having a business address at P.O. Box 397, 211 Knickerbocker Road, Cresskill, New Jersey 07626-0397), potential opposers herein, through their authorized attorneys, request that they be granted a thirty (30) day extension of time within which to file an opposition against applicant General Container Company, L.L.C., regarding the mark SMART POP. This mark was published for opposition in the Official Gazette of the United States Patent and Trademark Office on August 14, 2002 as Application Serial No. 76/347,782 in International Class 30.

Potential opposers and applicant request that a thirty (30) day extension be granted, extending the deadline to oppose to December 11, 2002. This extension is necessary because the parties are still engaged in active communications, and the parties have and are continuing to

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discuss a mutually agreeable resolution of their dispute. Both parties are hopeful that an agreement may be reached, and therefore, would lead to resolution of this matter without formal opposition proceedings.

On November 7, 2002, counsel for opposer spoke Christopher A. Mitchell (Counsel for General Container Company, L.L.C.) who consented to this request for the additional time to oppose and is being served with a copy of this request via United States Mail, postage prepaid.

This request is being filed in triplicate (original plus two copies).

Respectfully submitted,

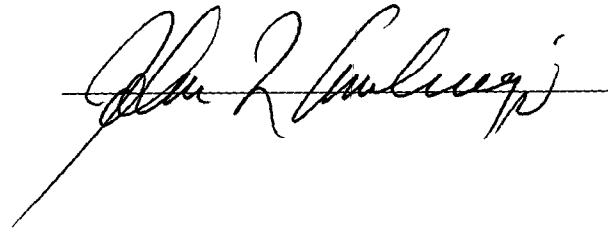
Date: November 7, 2002


Daniel R. Cherry
John L. Ambrogi
WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing JOINT REQUEST FOR EXTENSION OF TIME TO OPPOSE PURSUANT TO STIPULATION AND CONSENT OF THE PARTIES UNDER 37 C.F.R. 1.102(c) were served via first class U.S. Mail, postage prepaid, to Christopher A. Mitchell, Young & Basile, P.C., 3001 West Big Weaver Road, Suite 624, Troy, Michigan 48084 this 7th day of November, 2002.

A handwritten signature in cursive script, appearing to read "Alan R. Sulzberg", is written over a horizontal line. The signature is positioned to the right of the main text block.