

TTAB

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37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: BOX TTAB – NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on the date below:

3/22/04
Date

Jaimel C. Davis
Signature

TRADEMARK

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

In the matter of Application Serial No.: 76/392,196
by The Encore Group, Inc. for the Mark: **SNOW BUDDIES**
Filed: April 5, 2002

Published in the Official Gazette
at TM 443 on September 23, 2003

Can 56, Inc.,
Opposer,
v.

The Encore Group, Inc.,
Applicant.


03-25-2004
U.S. Patent & TMO/TM Mail Rcpt Dt. #64

Opposition No. _____

**CONSENTED REQUEST FOR EXTENSION OF TIME
TO FILE A NOTICE OF OPPOSITION BY SIXTY (60) DAYS**

BOX TTAB -- NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Commissioner:

Potential Opposer, Can 56, Inc., a Minnesota corporation, having its principal place of business at One Village Place, 6436 City West Parkway, Eden Prairie, MN 55344, by and through its attorneys, hereby requests that the Board grant a further sixty (60) day extension of time to file a Notice of Opposition in the above-identified matter, up to and including May 21, 2004. The requested extension of time does exceed 120 days from the date of publication, however, the consent of Applicant's counsel has been obtained, as required by 37 C.F.R. § 2.102 and TBMP § 207.03.

Applicant's counsel, Randall S. Polcyn, consented to this requested extension of time in a March 19, 2004 telephone conversation with potential Opposer's counsel, Carrie L. Johnson. The parties request this extension to allow additional time for Applicant and potential Opposer to continue to discuss settlement and/or possible alternatives and, if possible, to prepare a settlement agreement incorporating the terms agreed upon. This requested extension of time is not sought for purposes of delay.

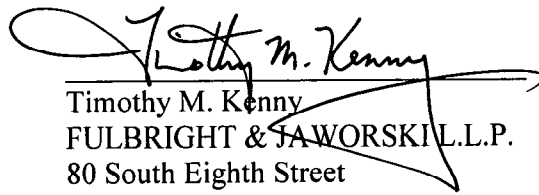
This request is being submitted in triplicate (an original and two copies) as required by 37 C.F.R. § 2.102(d).

No fee is believed to be due in connection with the filing of this document. However, should any fee under 37 C.F.R. § 2.6 be deemed necessary for any reason relating to this request, the Commissioner for Trademarks is hereby authorized to deduct said fee from Fulbright & Jaworski L.L.P. Account No.: 50-1212/10314181(DEPT:023)/TMK.

Please date stamp and return the enclosed postcard to acknowledge receipt of this material.

Respectfully submitted,

Dated: March 22, 2004


Timothy M. Kenny
FULBRIGHT & JAWORSKI L.L.P.
80 South Eighth Street
2100 IDS Center
Minneapolis, MN 55402
(612) 321-2800

ATTORNEYS FOR CAN 56, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **CONSENTED REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF OPPOSITION BY SIXTY (60) DAYS** has been served on Applicant's attorney, Randall S. Polcyn, Esq., this 22nd day of March, 2004, at the following address and in the below stated manner:

Randall S. Polcyn, Esq.
Fisher Thurber, LLP
4225 Executive Square, Suite 1600
La Jolla, CA 92037

VIA FIRST CLASS MAIL (POSTAGE PREPAID)

Dated: March 22, 2004

By: Jaime C. Davis
Jaime Davis