

TTAB

CERTIFICATE OF MAILING
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:

7/20/04
Date

Glenn 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



07-22-2004

U.S. Patent & TMO/c/TM Mail Rpt Dt. #78

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

Can 56, Inc.,
Opposer,
v.

The Encore Group, Inc.,
Applicant.

Opposition No. _____

**CONSENTED REQUEST FOR EXTENSION OF TIME
TO FILE A NOTICE OF OPPOSITION BY THIRTY (30) 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 thirty (30) day extension of time to file a Notice of Opposition in the above-identified matter, up to and including August 19, 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.

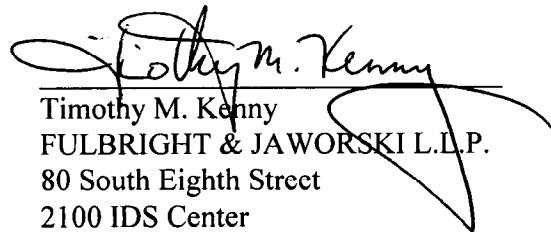
Applicant's counsel, Randall S. Polcyn, consented to this requested extension of time in a July 20, 2004 telephone conversation with potential Opposer's counsel, Timothy M. Kenny. The parties have settled this matter. However, the parties request this extension of time to allow them sufficient time to finalize execution of their written agreement. 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,



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.

Dated: July 20, 2004

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 THIRTY (30) DAYS** has been served on Applicant's attorney, Randall S. Polcyn, Esq., this 20th day of July, 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: July 20, 2004

By: *Jaime C. Davis*
Jaime Davis