


TTAB

IN THE UNITED STATES PATENT
TRADEMARK OFFICE

SERVICE MARK

TRADEMARK TRIAL AND APPEAL BOARD

Trademark Application Serial No. : 76/423,780
 Filed : June 20, 2002
 Published : December 10, 2002
 Applicant : Cold Cream, LLC
 Mark : **COLD CREAM ICE CREAM COFFEE
SWEETS ATLANTA, GA and Design**
 International Class : 43
 Services : Snack bars featuring ice cream, pastries,
coffee and other beverages


 01-09-2003
 U.S. Patent & TMO/TM Mail Rcpt Dt. #77

**FIRST REQUEST FOR EXTENSION OF TIME TO
FILE A NOTICE OF OPPOSITION**

Commissioner for Trademarks
 Box TTAB NO FEE
 2900 Crystal Drive
 Arlington, VA 22202-3513

Pursuant to 15 U.S.C. §1063 (Lanham Act §13) and 37 C.F.R. §2.102,
 request is hereby made for a sixty (60) day extension of the time within which a Notice
 of Opposition may be filed with respect to the above-identified application. This request
 is made on behalf of the Potential Opposer:

Cold Stone Creamery, Inc.
 16101 North 82nd Street, Suite A-4
 Scottsdale, Arizona 85260

The time within which a Notice of Opposition must be filed now expires on
 January 9, 2003. Upon the granting of this request, the time within which the Potential
 Opposer may file a Notice of Opposition would be extended to and including March 10,
 2003.

Potential Opposer is looking into this matter and Applicant's alleged use
 of the mark, and considering how best to proceed. The requested sixty-day period is

believed to be necessary to enable Potential Opposer to conclude its inquiries and to consider filing a Notice of Opposition.

It is believed that the above statement is good cause within the meaning of Section 13 of the Trademark Act of 1946 giving the Commissioner discretion to grant the requested extension.

The foregoing request is made in good faith and not for the purposes of delay, and is being submitted in triplicate in accordance with 37 C.F.R. §2.102(d).

Respectfully submitted,

Dated: January 6, 2003

By R. Lee Fraley
R. Lee Fraley

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Attorneys for Potential Opposer

CERTIFICATE OF MAILING

I hereby certify that this First Request for Extension of Time to File a Notice of Opposition, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first-class mail in a postage-prepaid envelope addressed to: Commissioner for Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513, on:

Date: January 6, 2003

By Paige S. Demello