

ESTTA Tracking number: **ESTTA47476**

Filing date: **10/06/2005**

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

Applicant: **Eating Well, Inc.**  
Application Serial Number: **78516981**  
Application Filing Date: **11/15/2004**  
Mark: **EATINGWELL**  
Date of Publication **09/13/2005**

**First 90 Day Request for Extension of Time to Oppose for Good Cause**

Pursuant to 37 C.F.R. Section 2.102, Randall's Food and Drugs, LP, 3663 Briarpark Drive, Houston, TX77042, UNITED STATES, a partnership, composed of Randall's Food Markets Inc., a Delaware Corporation under the laws of Delaware, respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good causes are established for this request by:

- The potential opposer needs additional time to confer with counsel
- The potential opposer is engaged in settlement discussions with applicant

The time within which to file a notice of opposition is set to expire on 10/13/2005. Randall's Food and Drugs, LP respectfully requests that the time period within which to file an opposition be extended until 01/11/2006.

Respectfully submitted,

/jsw/

10/06/2005

**Jordan S. Weinstein**

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