

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

In the Matter of Application Serial No. 75/832,751
Filed October 26, 1999
For the Mark RAISIN BRAN & MORE



12-05-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #74

KELLOGG COMPANY,

Opposer,

v.

RALCORP HOLDINGS, INC.,

Applicant.

Opposition No. 123,490

STIPULATED MOTION FOR EXTENSION OF TIME TO FILE ANSWER

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

Pursuant to FRCP 6(b) and TBMP §§ 316.03 and 509, Applicant Ralcorp Holdings, Inc. ("Applicant"), respectfully requests an extension of two (2) months within which to answer the Notice of Opposition, to and through January 30, 2002.

Further time is necessary for Applicant to continue discussions with Opposer regarding an amicable settlement of the opposition. Beth Zalner, authorized representative for Opposer, consented to this extension in a telephone conference with the undersigned on December 2, 2002.

This request for extension is made in good faith and not for the purpose of unnecessary delay.

In accordance with 37 C.F.R. § 2.102(d), this request is being submitted in triplicate (original plus two copies).

Respectfully submitted,

By: Mark A. Paskar

Mark A. Paskar
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Attorneys for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on the date shown below:

Typed or printed name	Mark A. Paskar	Date	12/2/02
Signature	<u>Mark A. Paskar</u>		

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Stipulated Request for Extension of Time to File Answer was sent via first class mail, postage prepaid, on December 2, 2002 to:

David Herdman
KELLOGG COMPANY
One Kellogg Square
Battle Creek, Michigan 49016-3599

Markie Parker



Mark A. Paskar
Direct: (314) 259-2488
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December 2, 2002



12-05-2002

U.S. Patent & TMOrc/TM Mail Rcpt Dt. #74

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

Re: U. S. Trademark Opposition No. 123,490
For: RAISIN BRAN & MORE
Serial No.: 75/832,751
Our Reference Number: C21515/112347

Sir/Madam:

We are enclosing papers on behalf of Applicant, Ralcorp Holdings, Inc., in connection with the above-referenced trademark opposition matter. The papers are:

1. Transmittal letter (1 page, in duplicate);
2. Stipulated Motion For Extension of Time to File Answer, (3 pages, in triplicate);
3. Return postcard.

If our check is missing or is insufficient, please charge any additional fee or credit any overpayment to Deposit Account No. 02-4467.

Kindly date-stamp and return the enclosed self-addressed, stamped postcard.

Respectfully submitted,

Mark A. Paskar

MAP/jjc
Enclosures

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