

Bereskin & Parr



Barristers and Solicitors/Patent and Trade Mark Agents
Practice Restricted to Intellectual Property Law

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Our Reference: 7631-002

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

In re Applicant Serial No.
74/495,289 published January 23, 2001
of the mark
MEMBERS CHOICE

CITICORP,

Opposer,

v.

961895 ONTARIO INC.,

Applicant.

Opposition No. 91150090

REQUEST FOR A THIRTY DAY EXTENSION
OF TIME TO FILE ANSWER TO
NOTICE OF OPPOSITION

TO: ASSISTANT COMMISSIONER FOR TRADEMARKS
BOX TTAB - NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

The applicant, 961895 Ontario Inc., respectfully requests a thirty (30) day extension of time from October 28, 2001 to and including November 27, 2001 within which to file an answer to the Notice of Opposition against the above-identified application.

The parties are discussing settlement of this opposition, and the extension is needed to allow sufficient time for the parties to continue and hopefully to complete their discussions.

This request for an extension of time is made in good faith, not for the purpose of unnecessary delay, and with the consent of opponent's counsel Eileen Kennedy.

DATED this 25th day of October, 2001.

961895 ONTARIO INC.

By: Richard J. Parr
Richard J. Parr, Regn No. 22,836
Attorney for Applicant
Bereskin & Parr
Scotia Plaza
40 King Street West
Toronto, Ontario M5H 3Y2, Canada
(416) 364-7311

cc: Eileen Kennedy
Attorney for Opposer
Citibank, N.A.
425 Park Avenue, 2nd Floor
New York, N.Y. 10043, U.S.A.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing "REQUEST FOR A THIRTY DAY EXTENSION OF TIME TO FILE ANSWER TO NOTICE OF OPPOSITION" was served via facsimile transmittal, confirmation of transmission received on October 25, 2001 upon Eileen Kennedy, Citibank, N.A., 425 Park Avenue, 2nd Floor, New York, N.Y. 10043, U.S.A.

Richard J. Parr

Richard J. Parr, Regn No. 22,836

Dated: Toronto, Ontario, Canada
October 25, 2001

Merchant & Gould

An Intellectual Property Law Firm

P.O. Box 2910 ¹⁰⁻¹¹¹
Minneapolis, Minnesota
55402-0910 USA
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Direct Contact

A Professional Corporation

In re Application of: Malt-O-Meal Company

Mark: CRACKLING COCOA CRISPS

Serial No.: 75/570,278

Examining Atty:

Filing Date: October 14, 1998

Docket No.: 947.144US01

Due Date: N/A

Law Office: 111

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, Box , 2900 Crystal Drive, Arlington, VA 222023513, on ¹⁰⁻²²⁻⁰¹

By: *Terese Flood*
Terese Flood

Commissioner for Trademarks
Box
2900 Crystal Drive
Arlington, VA 22202-3513



Sir:

10-25-2001

We are transmitting herewith the attached:

U.S. Patent & TMO/ TM Mail Rcpt Dt. #34

- Transmittal Sheet in duplicate containing Certificate of Mailing under 37 C.F.R. 1.8.
- Return postcard.
- Other: CHANGE OF CORRESPONDENCE ADDRESS.

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

By: *Kristina M. Foudray*
Name: Kristina M. Foudray
Reg. No.:
KMF/taf

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2001 OCT 29 A 11:03
OFFICE 111

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Malt-O-Meal Company

Serial No.: 75/570,278

Ex. Atty:

Filed: October 14, 1998

Office: 111

Mark: CRACKLING COCOA CRISPS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on October 2001.

By: 

Name: Terese Flood

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

CHANGE OF CORRESPONDENCE ADDRESS

Effective immediately, please enter Merchant & Gould's current Minneapolis office address as the new correspondence address for the trademark matter detailed above. The new address is as follows:

John A. Clifford

Merchant & Gould P.C.
P.O. Box 2910
Minneapolis, Minnesota 55402-0910
Telephone: 612.332.5300
Facsimile: 612.332.9081

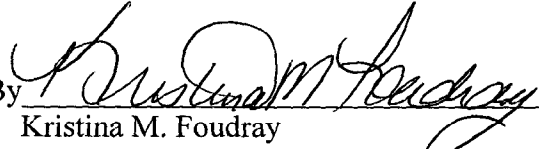
Please direct all telephone calls to me as follows:

612.332.5300

Respectfully Submitted.

MERCHANT & GOULD
P.O. Box 2910
Minneapolis, MN 55402-0910
612.332.5300

Dated Oct. 22^{KF} 2001

By 
Kristina M. Foudray