

TTAB

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited in the United States Mail, via Express Mail in an envelope addressed to: Commissioner for Trademarks, ATTN: Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, Virginia 22202-3514, on the date set forth below.

Date: 27 December 2004

Signature: Melissa Moxley

Exp. Cert. No. EV 131003438 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
IN THE MATTER OF APPLICATION SERIAL No.:78231274

Filed on: March 28, 2003

For the Mark: HARRY & IZZY'S

Published: February 10, 2004

JANSEN ENTERPRISES, INC.,)

Opposer,)

v.)

HARRY & IZZY'S, INC.,)

Applicant.)

Opposition No. 91160935

**STIPULATION OF THE PARTIES TO EXTEND APPLICANT'S
TIME TO ANSWER AND TO EXTEND ALL DISCOVERY AND TESTIMONY
PERIODS**

Commissioner for Trademarks
ATTN: Trademark Trial and Appeal Board
Box TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3514

Applicant, Harry & Izzy's, Inc., and Opposer, Jansen Enterprises, Inc., stipulate and agree to extend Applicant's time to file an answer in response to the opposition, notice of which was mailed to Applicant on June 18, 2004. An extension of time is required because the parties



12-28-2004

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are undergoing settlement discussions.

Applicant's deadline to answer is currently December 27, 2004, and the parties stipulate to an extension of time to answer to and including **February 28, 2005**. The new deadline to answer extends beyond the date for the close of discovery, which is currently scheduled for January 4, 2005.

Accordingly, Applicant, Harry & Izzy's, Inc., and Opposer, Jansen Enterprises, Inc., stipulate and agree to extend all discovery and testimony periods as follows:

Discovery Period to Close:	March 4, 2005 (From January 4, 2005)
30-Day Testimony Period for Party in Position of Plaintiff to Close	June 6, 2005 (From April 4, 2005)
30-Day Testimony Period for Party in Position of Defendant to Close	August 3, 2005 (From June 3, 2005)
15-Day Rebuttal Period for Plaintiff to Close	September 19, 2005 (From July 18, 2005)

Sheree L. Rybak, counsel for Jansen Enterprises, Inc, consents to the undersigned's execution and filing of this Stipulation on behalf of both parties.

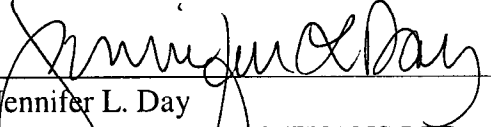
Applicant hereby appoints Jennifer L. Day and Amy L. Cueller, attorneys licensed by the State of Indiana and members of the firm Bose McKinney & Evans LLP as its attorneys, with full power of substitution and revocation to defend this opposition proceeding and to transact all business in the Patent and Trademark Office in connection therewith.

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The Trademark Trial and Appeal Board is respectfully requested to direct all correspondence in this opposition proceeding to Jennifer L. Day, whose address is:

Jennifer L. Day
Bose McKinney & Evans LLP
2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, IN 46204
(317) 684-5362
(317) 223-0362 (facsimile)

Respectfully submitted,

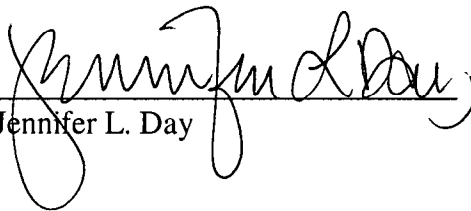

Jennifer L. Day
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Attorney for Applicant,
Harry & Izzy's, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing "Stipulation of the Parties to Extend Applicant's Time to Answer" has been served upon the following counsel of record by first class, United States mail, postage prepaid, this 27th day of December, 2004:

Sheree L. Rybak
Klarquist Sparkman, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204


Jennifer L. Day

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