

ESTTA Tracking number: **ESTTA19191**

Filing date: **11/12/2004**

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

| | |
|-------------------------------|--|
| Proceeding | 91161577 |
| Party | Defendant ACE INTERNATIONAL BEAUTY, INC. ACE INTERNATIONAL BEAUTY, INC. 47 West 29th Street New York, NY 10001 |
| Correspondence Address | EUNG WON LEE ACE ITERNATIONAL BEAUTY, INC. 47 WEST 29TH STREET NEW 'YORK, NY 10001 |
| Submission | Request for Extension of Time to File Answer |
| Filer's Name | Margaret A. Rickman |
| Filer's e-mail | mrickman@dowdmarottalaw.com, mwallace@dowdmarottalaw.com |
| Signature | /Margaret A. Rickman/ |
| Date | 11/12/2004 |
| Attachments | third request for extension.pdf (1 page) affidavit of service third request.pdf (1 page) |

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

In the matter of trademark application Serial No. 76/367,633
Mark: ACE (+Design)

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| _____ |) | |
| AMERICAN COUNCIL ON EXERCISE, |) | |
| |) | |
| Opposer, |) | |
| |) | Opposition No. 91161577 |
| vs. |) | |
| |) | |
| ACE INTERNATIONAL BEAUTY, INC., |) | |
| |) | |
| Applicant. |) | |
| _____ |) | |

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Request for Extension of Time to File Answer

With the consent of all parties to this action, we request an extension of time for Applicant to file its answer pending the finalization of settlement negotiations. All parties have consented to a 30 day extension from November 12, 2004, the date on which Applicant's answer is due.

Respectfully submitted,

By: _____
Margaret A. Rickman
DOWD & MAROTTA LLC
277 Broadway, Suite 1310
New York, New York 10007
(212)349-1200
Attorney for Applicant

UNITED STATES DEPARTMENT OF COMMERCE
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| ACE INTERNATIONAL BEAUTY, INC., |) | |
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| Applicant. |) | |

Margaret A. Rickman, Esq., an attorney duly admitted to practice before the Courts of the State of New York, hereby affirms the following under the penalties of perjury:

That on November 12, 2004, I served a true copy of the **Request for Extension of Time to File Answer** in the above referenced action upon:

Joe A. Mandour, Esq.
Branfman & Associates
12750 High Bluff Drive, Ste 100
San Diego, CA 92130

by facsimile and mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, directed to counsel for Opposer at the addresses set out above.

Dated: New York, New York
November 12, 2004

Margaret A. Rickman