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EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EV001846097US
Date of Deposit May 25, 2005. I hereby certify that this paper
or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 CFR 1.10
on the date indicated above and is addressed to the Commissioner
for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451.

Christina Matthews
Paralegal
Direct: (212) 826-5573
e-mail: cmatthews@fkks.com

Christina Matthews
Print
Christina Matthews
Signature

May 25, 2005

TTAB

Via Express Mail

Commissioner for Trademarks
Attn: TTAB
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Trademark Opposition No. 91164887
Mark: **CHANGING THE WAY AMERICA EATS**
Class: 35
Our Ref. No. 13594-0200-M223

Dear Sir/Madam:

We enclose herewith:

1. Motion to Extend Time to Answer Opposition on Consent; and
2. Postcard receipt.

This request is being submitted in triplicate as required by 37 CFR § 2.102(d). Please stamp the enclosed postcard to acknowledge receipt.

Respectfully submitted,

Christina Matthews
Christina Matthews

Enclosures

cc: Edward H. Rosenthal, Esq.
Jean Voutsinas, Esq.



05-25-2005

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

In the matter of:

Serial No. 76/575008
Filed: February 9, 2004

ATKINS NUTRITIONALS, INC.,

Opposer,

Opposition No. 91164887

v.

SBD TRADEMARK LIMITED PARTNERSHIP,

Applicant.

Commissioner for Trademarks
Attn: TTAB
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION TO EXTEND TIME TO ANSWER OPPOSITION ON CONSENT

Applicant, SBD Trademark Limited Partnership, a Florida partnership, with an address at c/o Greenberg Traurig, P.A., 5100 Town Center Circle, Suite 400, Boca Raton, Florida 33486, by and through its attorneys, hereby requests an extension of time up to and including June 13, 2005, to answer the captioned Opposition. John A. DeMaro, Esq., counsel for Opposer, consented to this extension via telephone on May 25, 2005.

Dated: May 25, 2005

Respectfully submitted,

FRANKFURT KURNIT KLEIN
& SELZ, PC

By: 

Jean Voutsinas
488 Madison Avenue
New York, NY 10022
(212) 980-0120

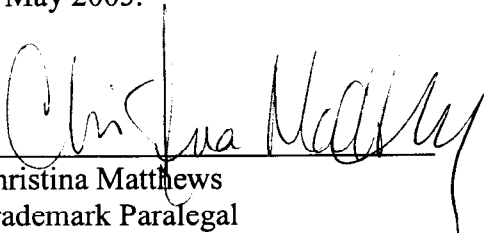
Attorneys for Applicant

CERTIFICATE OF SERVICE

I, Christina Matthews, certify that a copy of the foregoing Motion to Extend Time to Answer Opposition on Consent was served on:

John A. DeMaro, Esq.
Ruskin Moscou Faltischek, PC
190 EAB Plaza East Tower, 15th Floor
Uniondale, NY 11556

by placing same with the U.S. Postal Service, via first class mail, postage pre-paid, this 25th day of May 2005.



Christina Matthews
Trademark Paralegal