

TTAB



02-21-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #01

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

In the matter of Registration No. 2,090,436  
Registered On: August 26, 1997  
For the Mark: MIRABELL

Schramsberg Vineyards Company, )  
Petitioner, )  
v. )  
Richard U. Heppler, an individual, )  
Registrant. )

Cancellation No. 32,901

**Box TTAB**  
**NO FEE**  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

03 FEB 28 AM 9:30

**Stipulated Request for Reopening the Time to Answer**  
**Petition for Cancellation**

Registrant, Richard U. Heppler, hereby requests a reopening of thirty (30) days, to March 20, 2003 in which to answer the petition for cancellation filed herein or to otherwise plead, pursuant to 37 C.F.R. 2.114(b)(2)(iv). Pursuant to this request, registrant's answer will be due March 20, 2003.

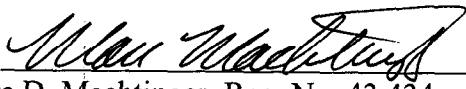
This reopening is required to enable registrant to further investigate and prepare an answer to this Petition for Cancellation. This request is not made for the purpose of delay, and will not prejudice either party. This request is made in conjunction with the accompanying Stipulated Request for Extension of Time to the Discovery Period and Testimony

Periods filed herewith, and thus is compatible with the schedule for Discovery requested therein.

This request is made with the consent of petitioner's counsel, John E. Kelly, which consent was given by him during a telephone conference on February 14, 2003, and is not made for the purpose of delay, and will not prejudice either party.

Respectfully submitted,

Richard U. Heppler

By:   
Marc D. Machtinger, Reg. No. 43,434  
One of its Attorneys  
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Dated: February 18, 2003

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**Certificate of Service**

The undersigned hereby certifies that a copy of the foregoing Stipulated request for Extension of Time to Answer Petition for Cancellation has been served upon the attorney for Petitioner on February 18, 2003 by depositing same in the United States Mail, first class postage prepaid, in an envelope addressed as follows:


Mr. John E. Kelly, Esq.  
KELLY BAUERSFELD LOWRY & KELLEY, LLP  
6320 Canoga Avenue, Suite 1650  
Woodland Hills, California 91367

  
Marc D. Machtinger  
Reg. No. 43,434

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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box TTAB, NO FEE, Assistant Commissioner For Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on February 18, 2003.

  
Marc D. Machtinger, Reg. No. 43,434