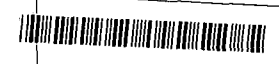


TTAB



05-13-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #73

**IN THE UNITED STATES PATENT AND TRADEMARK
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

03 JUN - 7 AM 9:30

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 22202-3514

Stipulated Request for Reopening the Time to Answer

Petition for Cancellation

Registrant, Richard U. Heppler, hereby requests a reopening of sixty (60) days, to July 8, 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 July 8, 2003.

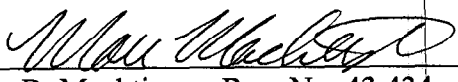
This reopening is required to enable registrant to further investigate and prepare an answer to this Petition for Cancellation. This request is not made for the purpose of delay, and will not prejudice either party. This request is made in conjunction with the accompanying Stipulated Request for Extension 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 May 9, 2003, and is not made for the purpose of delay, and will not prejudice either party.

Respectfully submitted,

Richard U. Hepler

By: 

Marc D. Machtinger, Reg. No. 43,434
One of its Attorneys
Law Office of Marc D. Machtinger, Ltd.
750 W. Lake Cook Rd., Suite 350
Buffalo Grove, Illinois 60089
Phone: (847) 537-3537
Fax: (847) 537-0550

Dated: May 9, 2003

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 May 9, 2003 by depositing same in the United States Mail, first class postage prepaid, in an envelope addressed as follows:

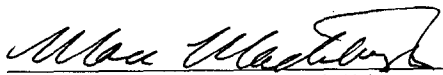
Mr. John E. Kelly, Esq.
KELLY BAUERSFELD LOWRY & KELLEY, LLP
6320 Canoga Avenue, Suite 1650
Woodland Hills, California 91367



Marc D. Machtinger
Reg. No. 43,434

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 22202-3514 on May 9, 2003.



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