



05-13-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #79

**IN THE UNITED STATES PATENT AND TRADEMARI
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 22202-3514

**Stipulated Request for Extension of Time to the Discovery Period
and Testimony Periods**

Registrant, Richard U. Heppler, hereby requests an extension of sixty (60) days for the discovery period, to June 30, 2003, pursuant to 37 C.F.R. 2.121(d). Pursuant to this request, registrant also requests that the corresponding testimony periods accordingly be extended, pursuant to 37 C.F.R. 2.121(a), as stated in the following schedule:

Discovery period to close:	June 30, 2003
Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto)	September 26, 2003
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	November 24, 2003

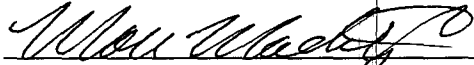
Rebuttal testimony period to close:
(opening fifteen days prior thereto)

January 9, 2004

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

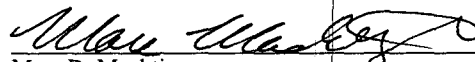
By: 
Marc D. Machtinger, Reg. No. 43,434
One of its Attorneys
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Dated: May 9, 2003

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing Stipulated Request for Extension of Time to the Discovery Period and Testimony Periods 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 Stipulated Request for Extension of Time to the Discovery Period and Testimony Periods 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: MS 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