

TTAB

**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



08-11-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

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

Cancellation No. 32,901

**Box TTAB
NO FEE**
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

03 OCT 18 11 09 AM '03

Stipulated Request for Extension of Time to Answer

Petition for Cancellation

Registrant, Richard U. Heppler, hereby requests an extension of sixty (60) days, to October 7, 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 October 7, 2003.

This extension is required in view of the fact that the parties have agreed in principle to a settlement agreement, have negotiated a final agreement, and are now circulating the agreement for signatures. This request is not made for the purpose of delay, and will not prejudice either party.

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 August 4, 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
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Dated: August 7, 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 August 7, 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
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Woodland Hills, California 91367

Marc D. Machtinger
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, Commissioner For Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on August 7, 2003.

Margaret A. Swindal
Margaret A. Swindal