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**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

11-15-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #70

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

Cancellation No. 32,901

U.S. PATENT & TRADEMARK OFFICE  
NOV 29 AM 9:30

**Box TTAB**

**NO FEE**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**Stipulated Request for Extension of Time to Answer**

**Petition for Cancellation**

Registrant, Richard U. Heppler, hereby requests an extension of ninety (90) days, to February 10, 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 February 10, 2003.

This extension 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,

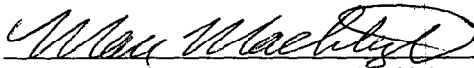
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and thus is compatible with the schedule for Discovery requested therein.

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 November 8, 2002, 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  
Law Office of Marc D. Machtinger, Ltd.  
750 W. Lake Cook Rd., Suite 350  
Buffalo Grove, Illinois 60089  
Phone: (847) 537-3537  
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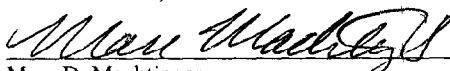
Dated: November 12, 2002

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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 September 10, 2002 by depositing same in the United States Mail, first class postage prepaid, in an envelope addressed as follows:

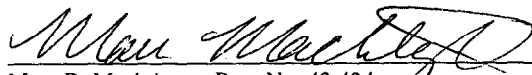
Mr. John E. Kelly, Esq.  
KELLY BAUERSFELD LOWRY & KELLEY, LLP  
6320 Canoga Avenue, Suite 1650  
Woodland Hills, California 91367

  
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 November 12, 2002.

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

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

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

Registrant, Richard U. Heppler, hereby requests an extension of ninety (90) days for the discovery period, to February 17, 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:	February 17, 2003
Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto)	May 19, 2003
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	July 18, 2003


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

September 1, 2003

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 November 8, 2002, 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  
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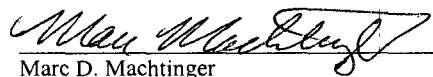
Dated: November 12, 2002

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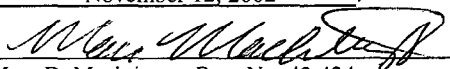
Mr. John E. Kelly, Esq.  
KELLY BAUERSFELD LOWRY & KELLEY, LLP  
6320 Canoga Avenue, Suite 1650  
Woodland Hills, California 91367

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

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November 12, 2002

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