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Filing date: **01/31/2007**

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

Proceeding	92044531
Party	Plaintiff THE FRESH MARKET, INC. THE FRESH MARKET, INC. ,
Correspondence Address	STACEY H. KING FINNEGAN, HENDERSON, FARABOW, GARRETT, et al 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001 UNITED STATES
Submission	Stipulated/Consent Motion to Extend
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Date	01/31/2007
Attachments	Scan001.PDF (2 pages)(65967 bytes)

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

THE FRESH MARKET, INC,

Petitioner,

v.

FOOD CIRCUS SUPER MARKET, INC.,

Registrant.

Cancellation No. 92044531

**STIPULATION TO EXTEND TIME FOR PETITIONER TO FILE OPPOSITION TO
REGISTRANT'S MOTION TO AMEND ANSWER TO ADD COUNTERCLAIM**

Subject to the approval of the Board, the parties stipulate and request that the Board extend the time for Petitioner to oppose Registrant's motion to amend its answer to add a counterclaim until and including March 1, 2007. The parties previously filed a stipulation on November 16, 2006 to extend that deadline until December 1, 2006, and on November 28, 2006 to extend that deadline to February 1, 2007.

This request is not filed for purposes of delay. Rather, the parties need the additional time to continue to discuss settlement.

Registrant's counsel, Max Voltchenko, stipulated to the extension on January 31, 2007.

Respectfully submitted,

Date: January 31, 2007

/s/ Douglas A. Rettew

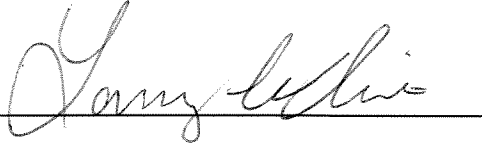
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Counsel for Petitioner
The Fresh Market, Inc.

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing STIPULATION TO EXTEND TIME FOR PETITIONER TO FILE OPPOSITION TO REGISTRANT'S MOTION TO AMEND ANSWER TO ADD COUNTERCLAIM was served by e-mail and first-class mail, postage prepaid on January 31, upon counsel for Registrant as follows:

Lewis F. Gould, Jr.
Max Voltchenko
DUANE MORRIS LLP
One Liberty Place
Philadelphia, PA 19103-7398



A handwritten signature in cursive script, appearing to read "Gary L. Gould", is written over a horizontal line.