

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION

In re Application of:

THORSPRING-ICELAND, INC.

Trademark Law Office: 101

Serial No.: 75/704354

Filed: MAY 13, 1999

Attorney: AN GI H

Mark: ICELAND SPRING and Design

BOX RESPONSES

NO FEE

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

REQUEST FOR SUSPENSION OF ACTION

Sir:

Pursuant to 37 C.F.R. §2.67, Swiss Valley Farms, Co., a third-party and putative potential opposer, requests that action on the above-indicated application be suspended. Suspension is requested for the following reason:

There is currently pending in The United States District Court for the Southern District of Iowa an action, captioned *Swiss Valley Farms, Co., Plaintiff, vs. Iceland Spring, Inc. and Iceland Spring North America, Inc., Defendants*, File No. 3:02-cv-80155 in which claims of trademark infringement and unfair competition are asserted based upon Applicant's use of the mark ICELAND SPRING. In addition to other remedies sought by Swiss Valley Farms, Co., the Court is requested to enter an Order Entry of an Order canceling any trademark

registration for the mark ICELAND SPRING, if said application for registration may be granted by the United States Patent and Trademark Office.

Please further be advised that concurrent with the filing of this motion, Swiss Valley Farms, Co. has filed a Petition to Commissioner to Accept Notice of Opposition and an alternative Motion to Suspend Rules pursuant to §2.148.

Respectfully submitted,

SWISS VALLEY FARMS, CO.

By Glenn Johnson

Glenn Johnson
Attorney for Opposer

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Reg. No.: 37,362
December 20, 2002

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Box Hon. Commissioner of Patents and Trademarks, Office of Solicitor, P.O. Box 15667, Arlington, VA 22215 on <u>December 20, 2002</u>
<u>Glenn Johnson</u> Glenn Johnson, Registered Representative

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on December 20, 2002, a true and correct copy of the foregoing Request for Suspension of Action was served by First Class Mail on counsel for Applicant at the following address:

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Glenn Johnson
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