

Suspension of the appeal pursuant to TBMP § 1213 because the registration cited by the Examining Attorney (Reg. No. 1,972,552) as a reference under Section 2(d) of the Act, 15 U.S.C. § 1052(d), will soon be due for an affidavit of continued use under Section 8 of the Act, 15 U.S.C. § 1058. As shown by the abstract of registration attached to Office Action 1 dated May 11, 2000, the registration date of Registration No. 1,972,552 was May 7, 1996, meaning a Section 8 affidavit must be filed not later than May 7, 2002. Based on Applicant's investigation of PTO records, no affidavit has been filed to date, and Applicant has reason to believe none will be filed. If none is filed, the basis for refusal (and this appeal) will be moot. For the above reasons, Applicant requests the Board suspend consideration of its appeal pending: (1) the Examining Attorney's response to its Request for Reconsideration; and (2) the possible filing of a Section 8 affidavit for Registration No. 1,972,552. Applicant requests that the Board date stamp and return the enclosed pre-addressed, postage pre-paid postcard to acknowledge its receipt of this Request for Suspension of Appeal.

Richmond, Virginia
October 2, 2001

By 
Christopher J. Mugel
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Counsel for V Technologies International
Corporation

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



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: **In re Application of:** V Technologies International
: Corporation
: **App. Ser. No.:** 75/833293
: **Filed:** May 11, 2000
: **Mark:** AGILQUEST
: -----X

10-03-2001
U.S. Patent & TMO/TM Mail Rcpt Dt #71

**Trademark Trial and
Appeal Board**

**TO: Assistant Commissioner for Trademarks
BOX TTAB / FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513**

NOTICE OF APPEAL

Applicant V Technologies International Corporation, hereby appeals to the Trademark Trial and Appeal Board from the decision of the Trademark Examining Attorney refusing registration. Applicant requests that the Board date stamp and return the enclosed pre-addressed,

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: Assistant Commissioner for Trademarks, BOX TTAB/ FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on October 2, 2001.

David D. Addison, Jr.

Date of Signature: 10/02/01

postage pre-paid postcard to acknowledge its receipt of this Notice of Appeal.

Richmond, Virginia
October 2, 2001

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October 2, 2001

10-03-2001

U.S. Patent & TMOc/TM Mail Rept Dt #71

Assistant Commissioner for Trademarks
U.S. Patent and Trademark Office
BOX TTAB / FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

*Re: Notice of Appeal of V Technologies International Corporation
Application Serial No. 75/833293*

Honorable Sir:

Please find enclosed the Notice of Appeal of V Technologies International Corporation, a Virginia corporation, with respect to trademark application Serial No. 75/833293. Accompanying the Notice of Appeal are the following:

1. a check in the amount of \$100.00 in payment of the filing fee;
2. a Request for Suspension of Appeal, which is being filed because V Technologies International Corporation has also filed with the Examining Attorney a Request for Reconsideration of his final refusal; and
3. two pre-addressed, postage-prepaid postcards, one each for the Notice of Appeal and for the Request for Suspension of Appeal, both of which we ask that you date stamp and return to acknowledge receipt of this correspondence.

Kindly direct all correspondence concerning this application to the undersigned. Thank you for your assistance.

Sincerely,


David D. Addison, Jr.

Enclosures

cc: Sheila Marsh, Esquire
Christopher J. Mugel, Esquire

