

EXPANSE

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

In re: Laureate Learning Systems, Inc.

Serial No.: 76/226,904

Applicant: Laureate Learning Systems, Inc.

Application Filed: March 20, 2001

Mark: LAUREATE

Atty/Docket No: B08208-00005

CERTIFICATE OF MAILING (37 CFR 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 the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

<i>Peter K</i>	<i>5/13/03</i>
Signature	Date
Peter B. Kunin, Esq.	
<i>(type or print name of person certifying)</i>	

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NO FEE

Burlington, Vermont
05402-0190

ASSISTANT COMMISSIONER FOR TRADEMARKS
2900 Crystal Drive
Arlington, VA 22202-3513

May 13, 2003

Attn: Shirley Hassan, Paralegal Specialist

REQUEST FOR ADDITIONAL THREE MONTH SUSPENSION

Applicant hereby requests that the Board continue to suspend further action on this case for a third period of three (3) months, until August 14, 2003.

By way of background, at Applicant's request dated November 4, 2002, the Board suspended action in this appeal until February 14, 2002. Subsequently, at Applicant's request dated February 4, 2003, the Board suspended action until May 14, 2003. The purpose of both of Applicant's requests was to use the suspension periods to attempt to enter into a consent agreement with Mr. Edward T. Scully, the owner of the mark in U.S. Registration No. 1508958.

As explained in Applicant's initial request for a suspension dated November 4, 2002, the Trademark Examining Attorney refused registration of Applicant's mark LAUREATE based on a determination that Applicant's mark LAUREATE, when used in connection with the identified goods, so resembles the mark in U.S. Registration No. 1508958 as to be likely to cause confusion, to cause mistake, or to deceive. In that November 4, 2002 request, Applicant explained that, that if it could obtain an appropriate consent agreement from Mr. Edward T. Scully during this three (3) month period, Applicant would so notify the Board, and Applicant would then ask the Board to remand Applicant's application to the Trademark Examining Attorney for consideration of the consent agreement as new evidence.

During the initial three (3) month suspension period, Applicant discussed with Mr. Edward T. Scully the terms of a possible consent agreement. On January 13, 2003, Applicant presented Mr. Scully with a written proposal for a consent agreement.

During the most recent three (3) month suspension period, and as recently as today, as attorney for Applicant, I have been engaged in substantive and productive negotiations with Mr. Scully's legal counsel, Ms. Melanie Holloway, of the law firm McGuireWoods of Charlottesville, Virginia. I believe that agreement in principle has been reached on the basic terms of a consent agreement between Mr. Scully and Applicant, and that there is very good chance that a consent agreement can be concluded within the next month or so.

On account of its request for a continued suspension of this appeal until May 14, 2003, Applicant notes that it will not be filing its brief on appeal in advance of the February 14, 2003 due date for such brief. If the Board declines to grant the three (3) month suspension as requested herein, Applicant requests, in the alternative, a sixty-day extension of time in which to file its brief on appeal in this case. As grounds in support of this request for extension of time,

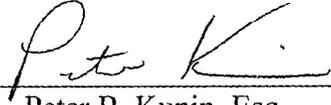
Applicant asserts that it has delayed preparing its brief during the pendency of its attempt to enter into a consent agreement with Mr. Edward T. Scully.

Please feel free to telephone or email the undersigned if Applicant's attorney can answer any questions regarding this request for an additional suspension.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Applicant

Dated: May 13, 2003

By: 

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BTV/242095.1

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05-15-2003

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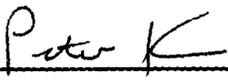
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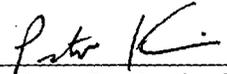
Attn: Shirley Hassan, Paralegal Specialist

TRANSMITTAL LETTER

Enclosed is a Request for a Third Three Month Suspension for the above-identified ex parte appeal.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Applicant

By: 
Peter B. Kunin, Esq.

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TRADEMARK TRIAL AND APPEAL BOARD

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