TTAB

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.

Peter K 10/30/02

Signature Date

Peter B. Kunin, Esq.

(type or print name of person certifying)

Box TTAB
NO FEE

Burlington, Vermont
05402-0190

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

October 30, 2002

11-01-2002
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64

REQUEST FOR THREE MONTH SUSPENSION

Applicant hereby requests that the Board suspend further action on this case for a period of three (3) months. As grounds in support of this request, Applicant asserts that it will use this three (3) month period to attempt to enter into a consent agreement with Mr. Edward T. Scully, the owner of the mark in U.S. Registration No. 1508958.

By way of background, 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. Applicant respectfully submits that if it can 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.

On account of its request for a suspension of this case, Applicant notes that it will not be filing its brief on appeal in advance of the November 5, 2002 due date for such brief. Applicant's attorney, the undersigned, spoke with Shirley Hassan, Paralegal Specialist, on October 29, 2002, regarding the request for a three (3) month suspension of this case. Ms. Hassan suggested that Applicant request a suspension and stated that it was likely that the request for suspension would be granted by the Board. If, however, 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 in the hope that a consent agreement could be entered into 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 a suspension.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Applicant

Dated: October 30, 2002

By: Peter B. Kunin

Peter B. Kunin, Esq.
(802) 863-2375
pkunin@drm.com

TTAB

TRADEMARK

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.

Peter K 10/30/02

Signature Date

Peter B. Kunin, Esq.

(type or print name of person certifying)

Box TTAB
NO FEE

Burlington, Vermont
05402-0190

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

October 30, 2002

11-01-2002

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64

TRANSMITTAL LETTER

Enclosed is a Request for Three Month Suspension for the above-identified trademark application.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Applicant

By: Peter K

Peter B. Kunin, Esq.

BTV\228456.1

Law Offices of
Downs Rachlin & Martin PLLC
199 Main Street
P.O. Box 190
Burlington, Vermont 05402-0190

FG