



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

GENERAL MILLS, INC.,

Opposer

v.

JASPER FOODS, INC.,

Applicant.

Opposition No. 111,858

TTAB



08-05-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

**CONSENTED MOTION TO SUSPEND  
BASED ON SETTLEMENT DISCUSSIONS**

COMES NOW the Applicant, Jasper Foods, Inc, by and through its undersigned counsel, and hereby moves for an Order from the Trademark Trial and Appeal Board (the "Board") suspending these proceedings.

The parties are currently engaged in settlement discussions which may have the effect of resolving all matters pending before the Board.

Opposer's counsel, Gregory Kaihoi, has consented to this request in a telephone conversation with the undersigned on August 4, 2004.

Pursuant to the Board's January 12, 2004 Order, Applicant advises as to the status of settlement. Counsel for the parties have discussed settlement on various occasions, including specific terms to be encompassed in a formal agreement. Moreover, Opposer's counsel forwarded a written proposal to Applicant's counsel setting forth specific terms. Recently, Applicant's counsel responded in writing with a series of very detailed, alternative terms. Applicant's counsel sent written reminders on March 9, 2004, March 29, 2004, May 11, 2004 and recently on July 2, 2004. Moreover, Applicant's counsel sent a renewed request on July 14, 2004. Additionally, Applicant's

counsel called Opposer's counsel's office on April 6, 2004, May 27 and 28, 2004, June 3 and 4, 2004, July 28, 2004 and August 3 and 4, 2004 to inquire as to a response. Finally, Opposer's counsel indicated on August 4, 2004 he would be in a position to substantively respond within to the proposal in the near term.

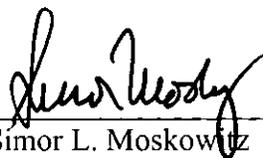
This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office.

This request is submitted in triplicate.

Respectfully submitted,

JASPER FOODS, INC.

By:



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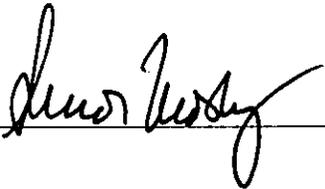
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**Attorneys for Applicant**

Dated: August 5, 2004  
Attorney Docket No. I-4128

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of August, 2004, a true copy of the foregoing Consented Motion to Suspend Based on Settlement Discussions, in connection with the above-referenced proceeding was served by first-class mail, postage prepaid, upon counsel for Opposer:

Gregory Kaihoi, Esquire  
General Mills, Inc.  
Number One General Mills Boulevard  
Minneapolis, Minnesota 55426



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