

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

OMEU/CO

In re the Application of Wright Medical Technology, Inc.:

Application No.: 76/191,390
Mark: OLYMPIA
Filed: January 9, 2001
Int'l Class: 10
Published: August 21, 2001 (1249 T.M.O.G. 282)

mailroom date
2/1/02

Olympus Optical Co., Ltd.)	
(Japanese joint stock company),)	Attorney Docket No. 53375/1458
)	
Opposer,)	
)	
v.)	Opposition No. 91150270
)	
Wright Medical Technology, Inc.)	
(Delaware corporation),)	Attorney Docket No. A0,513A
)	
Applicant.)	

**Consented Motion
under 37 C.F.R. § 2.117(c)
to Suspend Opposition Proceeding for Thirty Days**

1 Applicant, Wright Medical Technology, Inc., by and through its attorneys, and with the
2 consent of Opposer Olympus Optical Co., Ltd., by and through Opposer's attorney of record
3 Allen J. Baden, Esq., hereby move to suspend this opposition proceeding, and all discovery
4 deadlines associated therewith, for thirty days, through and including March 3, 2002, with this
5 proceeding to resume on March 4, 2002, by an appropriate order of the Board setting new
6 response and trial dates.

7 Applicant and Opposer are engaged in settlement negotiations, and Opposer's attorney
8 of record, Allen J. Baden, Esq., in a telephone conference with Applicant's undersigned attorney
9 of record on the afternoon of February 1, 2002, has given Opposer's consent to this motion to

1 suspend this opposition proceeding for thirty days to provide an opportunity for settlement
2 negotiations to continue.

3 Accordingly, Applicant and Opposer hereby request that the Board grant this consented
4 motion for a thirty-day suspension of this opposition proceeding.

5 A consented motion to amend the description of goods is filed concurrently herewith.

Respectfully submitted,

WRIGHT MEDICAL TECHNOLOGY, INC.

Date: 2/1/2002

By: Russell H. Walker

Russell H. Walker
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6363 Poplar Ave., Suite 434
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Tel. No. (901) 685-7428
U.S.P.T.O. Registration No. 35,401
Attorney for Applicant

Certificate of Service - I hereby certify that a true copy of the foregoing Consented Motion under 37 C.F.R. § 2.117(c) to Suspend Opposition Proceeding for Thirty Days is being deposited with the United States Postal Service as Express Mail - Post Office to Addressee, postage prepaid, on February 1, 2002, in an envelope addressed to Opposer's counsel,

Allen J. Baden, Esq.
Kenyon & Kenyon
333 West San Carlos Street, Sixth Floor
San Jose, California 95110

Date: 2/1/2002

Russell H. Walker

Russell H. Walker
U.S.P.T.O. Registration No. 35,401

Certificate of Express Mailing under 37 C.F.R. § 1.10

Express Mail Label No.: ET391467120US

I hereby certify pursuant to 37 C.F.R. § 1.10 that the foregoing Consented Motion under 37 C.F.R. § 2.117(e) to Suspend Opposition Proceeding for Thirty Days is being deposited by me with the United States Postal Service as U.S. Postal Service Express Mail - Post Office to Addressee, postage prepaid, on February 1, 2002, in an envelope addressed to:

Commissioner for Trademarks
Box TTAB - No Fee
2900 Crystal Drive
Arlington, Virginia 22202-3513

Date: 2/1/2002

Russell H. Walker
Russell H. Walker
U.S.P.T.O. Registration No. 35,401
(Person making deposit)

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FAX COVER SHEET

To: Nancy Omelko, Esq.
Of: U.S.P.T.O. T.T.A.B.

Transmitted to Fax Number: 703-746-7111

From: Russell H. Walker
Client/Matter: *Olympus Optical Co., Ltd. v. Wright Medical Technology, Inc.*
U.S. Trademark Trial and Appeal Board Opposition No. 91150270
Mark "OLYMPIA"
U.S. Trademark Application No.: 76/191,390 (filed January 9, 2001)
Our File No.: A0,513A
Date: June 6, 2002

NUMBER OF PAGES INCLUDING THIS PAGE: 6

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COMMENTS:

- Original will not follow
- Original will follow by: U.S. Express Mail
- Please call upon receipt
- Response needed by:
- For your approval / suggestions
- Other message:

Ms. Omelko,

As requested by you moments ago in your telephone call to me, attached is a copy of the Consented Motion to Suspend this Opposition for Thirty Days, as filed by me on February 1, 2002, which I understand has been misplaced at the TTAB. For completeness, also appended is an enlarged photocopy of the return postcard, showing receipt by the USPTO Mail Room, and a photocopy of the Express Mail receipt showing deposit with the USPS on February 1, 2002. Please feel free to call our office if there are any other documents that are needed.

Best regards, Russ Walker

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