



04-26-2002

U.S. Patent & TMO/c/TM Mail Rpt Dt. #71

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

ALSTOM ESCA CORPORATION, Opposer, v. E-TERRA, LLC, Applicant
--

Opposition No. 150,707

STIPULATED MOTION TO
CONSOLIDATE AND SUSPEND
PROCEEDINGS

The parties hereby stipulate and move the Trademark Trial and Appeal Board to:

- A. Consolidate the instant proceeding with Opposition No. 124,019;
and
- B. Suspend the newly consolidated proceeding for six (6) months to
allow settlement discussions to continue.

Both proceedings involve the same parties, the same or similar marks, and common issues of law and fact. The parties are engaged in settlement discussions to resolve all proceedings. Opposition No. 124,019 has already been suspended for six months pursuant to an order issued on February 11, 2002.

A corresponding motion has been filed in Opposition No. 124,019.

STIPULATED MOTION TO CONSOLIDATE
AND SUSPEND PROCEEDINGS- 1

Accordingly, the parties request the Board to consolidate and suspend the newly consolidated proceedings for six months.

Date April 23, 2002

Date April 26, 2002

**LASHER HOLZAPFEL SPERRY
& EBBERSON PLLC**

PERKINS COIE LLP

By: Tracey A. Silva
David J. Sprinkle
Tracey A. Silva
Attorneys for Opposer
2600 Two Union Square
601 Union Street
Seattle, WA 98101
(206) 624-1230
(206) 340-2563 (facsimile)

By: Alice D. Leiner
Alice D. Leiner
Kirstin E. Larson
Attorneys for Applicant
1201 Third Avenue, Suite 4800
Seattle, Washington 98101-3099
(206) 583-8888
(206) 583-8500 (facsimile)

**STIPULATED MOTION TO CONSOLIDATE
AND SUSPEND PROCEEDINGS- 2**

CERTIFICATE OF MAILING

I CERTIFY that on April 26th, 2002, I mailed (via U.S. Express Mail #EL 491508175USUS) the original and two copies of the attached STIPULATED MOTION TO CONSOLIDATE AND SUSPEND PROCEEDINGS regarding ALSTOM ESCA CORPORATION v. E-TERRA, LLC (Opposition No. 124,019) to:

Assistant Commissioner of Trademarks
U.S. Patent & Trademark Office
Box TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

and by first class U.S. mail, postage prepaid, to:

David J. Sprinkle, Esq.
Tracey A. Silva
Lasher Holzapfel Sperry & Ebberson PLLC
2600 Two Union Square
601 Union Street
Seattle, WA 98101
(Attorneys for Opposer)



Alice D. Leiner
Kirstin E. Larson
(Attorneys for Applicant)



TTAB

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PERKINS COIE LLP

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1201 THIRD AVENUE, SUITE 4800 · SEATTLE, WASHINGTON 98101-3099

TELEPHONE: 206 583-8888 · FACSIMILE: 206 583-8500

Kirstin E. Larson
Phone: (206) 583-8841
Email: larsk@perkinscoie.com

April 26, 2002

VIA EXPRESS MAIL

Commissioner of Trademarks
U.S. Patent and Trademark Office
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: ALSTOM ESCA CORPORATION v. E-TERRA, LLC
Opposition No. 150,707
Our Reference No.: 32876-7001

TRADEMARK TRIAL AND
APPEAL BOARD

02 MAY 2 PM 9: 23

Dear Board Members:

Enclosed for filing is the original STIPULATED MOTION TO CONSOLIDATE AND SUSPEND PROCEEDINGS regarding the above-referenced matter.

Very truly yours,

PERKINS COIE LLP

Kirstin Larson
Kirstin E. Larson (jls)

KEL/jlb
Enclosures

cc: Tracey A. Silva, Esq., Attorney for Opposer, (w/encl.)

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