



2. On April 8, 2004, a Chapter 7 bankruptcy case was filed on Applicant's behalf in the United States Bankruptcy Court for the Central District of California, Case No. LA 04-18006-EC. A true and correct copy of the Bankruptcy Court's Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines is attached hereto as **Exhibit A** and incorporated for all purposes.

3. On April 30, 2004, Opposer served Applicant with Opposer's First Set of Requests for Admission, Opposer's First Set of Written Interrogatories to Applicant, Opposer's First Set of Requests for Production of Documents and Things, and a Notice of Discovery Deposition of Applicant (collectively the "Discovery Requests"). Applicant's written responses to the Discovery Requests are due on June 2, 2004; Applicant's document production has been requested for June 7, 2004; and Applicant's deposition has been noticed for June 15, 2004.

#### **ARGUMENT AND AUTHORITY**

4. The TTAB may suspend proceedings in cases before it for good cause upon motion or upon stipulation of the parties approved by the Board. *See* 37 C.F.R. § 2.117(c).

5. Section 510.03(a) of the TBMP states, in pertinent part:

The Board will issue an order suspending proceedings if it comes to the attention of the Board that the defendant has filed a petition for bankruptcy [footnote omitted]. Under the automatic stay provisions of Section 362 of the United States Bankruptcy Code, 11 U.S.C. § 362, a petition for bankruptcy (filed under Section 301, 302, or 303 of the Code, 11 U.S.C. § 301, 302, or 303) operates as a stay, *inter alia*, of the commencement or continuation of a judicial, administrative, or other process against the debtor that was or could have been commenced before the commencement of the bankruptcy case.

Therefore, based upon Applicant's currently pending bankruptcy action, Applicant requests that these proceedings and all obligations of the parties, including discovery responses of any kind, and

specifically written responses or appearances related to the Discovery Requests, be suspended in their entirety.

6. Pursuant to Section 510.03(b) of the TBMP, Applicant will promptly notify the TTAB when the bankruptcy case has been concluded, or in the event Applicant's application is transferred to some other person, at which time the proceedings can be resumed.

THEREFORE, Applicant, Tom Bunch, requests that this Motion To Suspend Proceedings be in all things granted, that an order be entered suspending the proceedings and all obligations of the parties, including discovery responses of every kind, and that Applicant be granted such other and further relief to which Applicant may be justly entitled.

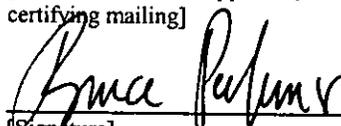
**CERTIFICATE OF MAILING**

Express Mail Tracking No. EO 903 838 291 US

Date of Deposit: May 27, 2004

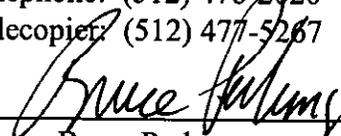
I hereby certify that this paper or fee is being deposited with the United States Postal Service, with sufficient postage, as "USPS Express Mail," on the date indicated above, in an envelope addressed to: Box TTAB No Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

Bruce Perkins  
[Printed name of Applicant, attorney, or representative certifying mailing]

  
[Signature]

5/27/04  
[Date of signing]

**Respectfully submitted,**

**FRITZ, BYRNE, HEAD & HARRISON, LLP**  
98 San Jacinto Boulevard, Suite 2000  
Austin, Texas 78701-4288  
Telephone: (512) 476-2020  
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By   
Bruce Perkins  
State Bar No. 15783020  
Marc L. Lippincott  
State Bar No. 24002480

Attorneys for Applicant,  
TOM BUNCH

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has this 27<sup>th</sup> day of May, 2004, been forwarded to counsel of record by  certified mail, return receipt requested, or by  hand-delivery, or by  telecopy, as follows:

Joan Kupersmith Larkin, Esq.  
Christopher C. Larkin, Esq.  
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2029 Century Park East, Suite 3300  
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Telephone: (310) 277-7200  
Telecopier: (310) 201-5219

► Counsel for Opposer,  
SUPERSCOPE TECHNOLOGIES, INC.

  
\_\_\_\_\_  
Bruce Perkins

**EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT**

**Central District of California**

**Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on April 8, 2004.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the **U.S. Bankruptcy Court, United States Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.**

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**See Reverse Side For Important Explanations**

Debtor(s) (name(s) address) THOMAS, BUNCH A  9012 CRESCENT DR LOS ANGELES, CA 90046	<b>Case Number: LA 04-18006-EC</b> Last four digits of Soc. Sec. No. / Complete EIN or other Taxpayer I.D. No.:  Dbt SSN: 454-41-6269                      EIN/Tax I.D.: JDbt SSN:                                      EIN/Tax I.D.:
All Other Names used by the Debtor(s) in the last 6 years (include married, maiden, and trade names): Debtor: Joint Debtor:	Bankruptcy Trustee (name, address, telephone) NANCY KNUPFER DANNING, GILL, DIAMOND & KOLLITZ 2029 CENTURY PARK EAST 3RD FLOOR LOS ANGELES, CA 90067-2904  Telephone number: (310) 201-2469
Attorney for Debtor(s) (name, address, telephone) HARRIS COHEN 5305 ANDASOL AVE ENCINO, CA 91316 Telephone number: (818) 905-5599	

**Meeting of Creditors**

**Date:** May 10, 2004    **Time:** 11:00 A.M.    **Location:** 725 South Figueroa St., Room 101, Los Angeles, CA 90017

**Deadlines**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Complaint Objecting to Discharge of the Debtor, or to Determine Dischargeability of Certain Debts:**  
 July 9, 2004

**Deadline to Object to Exemptions:** Thirty (30) days after the *conclusion* of the meeting of creditors

**Creditors May Not Take Certain Actions**

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

**Please Do Not File A Proof of Claim Unless You Receive a Notice To Do So**

<b>Address of the Bankruptcy Clerk's Office:</b>  U.S. Bankruptcy Court 255 East Temple Street Los Angeles, CA 90012 Telephone number: (213) 894-3118	<b>For the Court:</b>  Clerk of the Bankruptcy Court: Jon D. Ceretto
<b>Hours Open:</b> 9:00 A.M to 4:00 P.M.	<b>Date:</b> April 12, 2004



**FRITZ, BYRNE, HEAD & HARRISON, LLP**

*Attorneys at Law*

May 27, 2004

**USPS EXPRESS MAIL**

Box TTAB No Fee  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514



05-27-2004

U.S. Patent & TMO/TM Mail RcptDt. #22

Re: Superscope Technologies, Inc. v.  
Tom Bunch  
Opposition No. 91-156,510  
Serial No. 76/389,730  
United States Patent and Trademark Office  
Trademark Trial and Appeal Board

Greetings:

Please find enclosed **Applicant's Motion To Suspend Proceedings**, being filed on behalf of Applicant, Tom Bunch. Also enclosed is a self-addressed, postage-paid postcard, which we ask that you return to confirm receipt of this submission.

By copy of this letter and the enclosure, counsel of record are hereby notified of the filing of this instrument. Thank you for your courtesy and assistance.

Very truly yours,

Bruce Perkins

sb

Enclosures

cc: Joan Kupersmith Larkin, Esq.  
Christopher C. Larkin, Esq.  
Seyfarth Shaw LLP  
2029 Century Park East, Suite 3300  
Los Angeles, CA 90067-3063  
 **VIA FAX (310.201.5219) AND  
UNITED STATES FIRST-CLASS MAIL**

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