

ESTTA Tracking number: **ESTTA14113**

Filing date: **08/27/2004**

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

<b>Proceeding</b>	91158448
<b>Party</b>	Plaintiff SEAN DALEY Daley, Sean c/o Luke W. DeMarte D'Ancona & Pflaum LLC Chicago, IL 60601
<b>Correspondence Address</b>	LUKE W. DEMARTE SEYFARTH SHAW LLP 55 EAST MONROE STREET, SUITE 4200 CHICAGO, IL 60603
<b>Submission</b>	Motion to Suspend for Settlement Discussions
<b>Filer's Name</b>	Luke W. DeMarte
<b>Filer's e-mail</b>	ldemarte@seyfarth.com, gbilotto@seyfarth.com
<b>Signature</b>	/Luke W. DeMarte/
<b>Date</b>	08/27/2004
<b>Attachments</b>	AtmosphereOppMtoSuspend.pdf ( 2 pages )

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

SEAN DALEY, )  
)  
                  Opposer, )  
)  
                  v. )           Opposition No. 91158448  
)  
LOREY AND ERIC PERSING , )  
          d/b/a SPECTRASONICS, )           Serial No. 76/475501  
)  
                  Applicants. )

AGREED MOTION TO SUSPEND OPPOSITION PROCEEDINGS

Opposer, Sean Daley, with the consent of Applicant, Lorey and Eric Persing, d/b/a Spectrasonics, moves for an order suspending this opposition for a period of six months, subject to the right of either party to request resumption at any time, pursuant to 37 CFR Section 2.117 (c). In support thereof, Opposer states as follows:

1. The parties are negotiating a settlement agreement and are close to reaching a final agreement.
2. Applicant's attorney, Benita Das, consented to this motion via e-mail on August 26, 2004.

Accordingly, Opposer requests an Order suspending this opposition for six months, subject to the right of either party to request resumption at any time.

Dated: August 27, 2004

Respectfully submitted,

SEAN DALEY



By:

\_\_\_\_\_  
One Of His Attorneys

Luke W. DeMarte  
Jeffrey H. Brown  
SEYFARTH SHAW LLP  
55 East Monroe Street, Suite 4200  
Chicago, Illinois 60603  
(312) 346-8000  
Attorneys for Opposer

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by the Electronic System for Trademark Trials and Appeals to the United States Patent and Trademark Office on August 27, 2004.



---

Person signing certificate: Luke W. DeMarte

CERTIFICATE OF SERVICE

The undersigned certifies that on August 27, 2004, the foregoing Agreed Motion to Suspend Opposition Proceedings was served upon Applicant by depositing a copy of said document in the U.S. mail in an envelope addressed to:

Benita Das  
Greenberg Glusker Fields Claman  
1900 Avenue of the Stars, Suite 2100  
Los Angeles, CA 90067



---

Print Name: Luke W. DeMarte