

TTAB

May 11, 2005

VIA EXPRESS MAIL

U.S. Patent & Trademark Office
Madison West Building
600 Dulany St.
Alexandria, VA 22314
Attention: Trademark Trial And Appeal Board

Re: PHATMUSCLE
Appl. No. 76/498,101, Opposition Proceeding No. 91161466

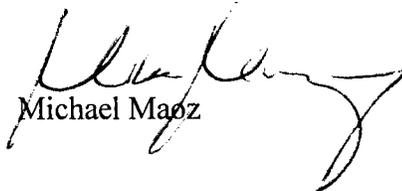
Dear Sir or Madam:

On behalf of our client, Phat Fashions LLC (hereinafter "Phat Fashions"), enclosed herewith for filing in connection with the above-referenced proceeding pertaining to Appl. Serial No. 76/498,101 for the mark PHATMUSCLE are the following particulars:

1. an original of Phat Fashion's Request On Consent To Suspend Proceedings, with notice of service on counsel to Gabriel R. Lopez, plus two copies of the same; and
2. a prepaid, self-addressed return post card which the Trademark Trial And Appeal Board (hereinafter the "Board") is requested to have stamped as "RECEIVED".

Please do not hesitate to contact the undersigned should you have any questions or concerns.

Yours very truly,


Michael Maoz

Enclosures



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

In the Matter of Trademark Application
Serial No. 76/498,101
for the mark **PHATMUSCLE**

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PHAT FASHIONS LLC,	:			
	:			
Opposer,	:			
	:			Opposition No. 91161466
-against-	:			
	:			
LOPEZ, GABRIEL R.,	:			
	:			
Applicant.	:			
-----X				

REQUEST ON CONSENT TO SUSPEND PROCEEDINGS

Phat Fashions LLC (hereinafter “Opposer” or “Phat Fashions”), by its counsel, Pryor Cashman Sherman & Flynn LLP, and *with the consent* of counsel to Gabriel R. Lopez (hereinafter “Applicant” or “Lopez”), respectfully requests that the Trademark Trial and Appeal Board (hereinafter the “Board”) to **suspend** the above proceeding (hereinafter the “Request”), as the parties are approaching closer to an amicable settlement of this matter, which will likely have the effect of resolving the issues now pending before the Board.

The Request will allow the parties to complete those discussions in an effort to resolve the respective differences on an amicable basis. Accordingly, this Request is submitted in good faith and not for any improper purpose of delay.

Richard S. Vermut, Esq., counsel to Lopez, consented to this Request in a telephone conference with the undersigned counsel to Phat Fashions, that occurred on or about

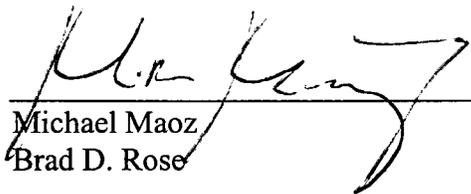
May 3, 2005, and a copy of this Request is being served on Mr. Vermut as shown in the accompanying Certificate of Service.

Should Applicant and Opposer fail to amicably resolve this matter, Applicant has agreed to respond to Opposer's First Requests for Document Production and Interrogatories, both dated January 6, 2005, twenty (20) days after discontinuation of the suspension.

This Request is submitted in triplicate.

Dated: New York, New York
May 11, 2005

Respectfully submitted,

By: 
Michael Maoz
Brad D. Rose

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Attorneys for Applicant,
Phat Fashions LLC