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Attorney Docket 2307-1281-1

TRADEMARK

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

Application No. 78/140,320
Applicant: Shasta Beverages, Inc.
Published: February 3, 2004
For: **SHASTA GOLD**

Shasta Beverages, Inc.,)
)
Opposer,)
)
vs.)
)
The Regents of the University of)
California)
Applicant.)

Opposition No.
91161586

**MOTION ON CONSENT TO
SUSPEND OPPOSITION**

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Madam:

Applicant respectfully moves this Board for an order suspending this action pending the disposition of another application, filed by Opposer herein (for the mark SHASTA SHORTZ, Ser. No. 78/231,572), which has been initially refused due to Applicant's earlier-filed application at issue in this Opposition. Opposer and Applicant have now reached agreement on all language in their settlement agreement, which provides for submission of Applicant's consent to Opposer's '572 application. This Motion is made so that the Trademark Office can act on that consent, and thereby potentially resolved this dispute without the parties and the Board unnecessarily investing time and effort into the litigation of this action.



10-22-2004



Both parties reserve the right to request resumption of this proceeding, if either believes it to be appropriate. Once the Office acts on Opposer's '572 application, Opposer will either dismiss this action, or the parties will contact the Board to reschedule Applicant's Answer and the cut-off dates for discovery and trial.

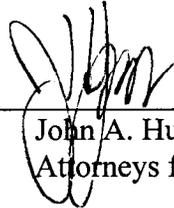
Opposer's counsel, Kenneth R. Glaser, has consented to this motion on behalf of Opposer.

Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

Dated: October 19, 2004

By



John A. Hughes
Attorneys for Applicant

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CERTIFICATE OF MAILING

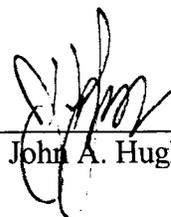
I hereby certify that this correspondence is being deposited on October 19, 2004 with the United States Postal Service as first class mail, postage prepaid, in envelopes addressed to:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

and to counsel for Opposer, at

Kenneth R. Glaser
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By



John A. Hughes