

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

JANTZEN APPAREL CORP.,  
a Delaware Corporation,

TTAB

Opposer,

vs.

Opposition No.: 91170558  
Application Serial No.: 78/512665  
Word Mark: RED STATE

CUYLER, DEVIN RAINEY and  
PECOT, ALIA ARESA,

Applicants.

**VIA FEDERAL EXPRESS**

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**OPPOSER'S MOTION TO SUSPEND PROCEEDINGS, OR IN THE ALTERNATIVE,  
FOR AN ENLARGEMENT OF TIME TO RESPOND TO MOTION TO DISMISS**

Opposer, Jantzen Apparel Corp., by and through its undersigned counsel, requests that the Trademark Trial And Appeal Board ("TTAB") grant this Motion To Suspend Proceedings, Or In The Alternative, For An Enlargement Of Time To Respond To Motion To Dismiss, and as its basis states as follows:

**A. Motion To Suspend**

1. Pursuant to 37 CFR §2.117(c), the TTAB may suspend a proceedings for good cause.
2. The parties in this proceeding have commenced settlement negotiations. A first draft of a co-existence agreement has been exchanged; however the parties

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require additional time to consummate a settlement.

3. Opposer has requested Joint-Applicant/Counsel, Alia Aresa Pecot, to advise as to whether Applicants agree or object to a suspension; but, Counsel has neither agreed nor objected.
4. No party will be prejudiced by a suspension. In fact, both parties and the TTAB will preserve time and resources if a suspension is granted during the settlement process.

Wherefore, Opposer requests that the TTAB enter an order suspending these proceeding until such time as either party seeks, or the TTAB orders dissolution of such suspension.

**B. Motion For Enlargement Of Time  
In Which To Respond To Motion To Dismiss**

1. On June 3, 2006, Applicants filed their Motion To Dismiss Opposition.
2. Pursuant to 37 CFR §2.127(a), a brief in response to a motion must be filed within in fifteen (15) days, unless the time is extended upon motion granted by the TTAB.
3. The parties in this proceeding have commenced settlement negotiations. A first draft of a co-existence agreement has been submitted; however the parties require additional time to consummate a settlement.
4. Opposer has requested Joint-Applicant/Counsel, Alia Aresa Pecot, to advise as to whether Applicants agree or object to an enlargement of time to respond to Applicants' Motion To Dismiss; but, Counsel has neither agreed nor objected.
5. No party will be prejudiced by an extension. In fact, both parties and the TTAB will preserve time and resources if a suspension is granted during the settlement

negotiations.

Wherefore, Opposer requests that, in the alternative, the TTAB enter an order granting Opposer's motion to extend the time for thirty (30) days in which Opposer may reply to Applicants' Motion To Dismiss Opposition.

Respectfully submitted,

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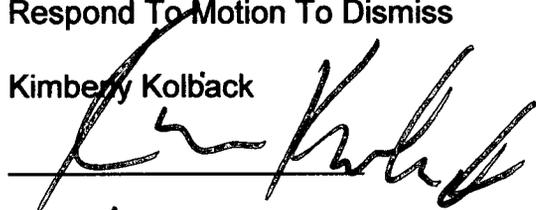
By:   
KIM KOLBACK

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that the document named below is being deposited with Federal Express Mail with sufficient pre-paid postage to Alia Aresa Pecot, 195 Santa Rosa Avenue, Sausalito, CA 94965 on this 16 day of June, 2006.

**Name of Document:** Opposer's Motion To Suspend Proceedings, Or In The Alternative, For An Enlargement Of Time To Respond To Motion To Dismiss

**Name of Depositor:** Kimberly Kolback

**Signature of Depositor:** 

**Dated:** June 16, 2006