

ESTTA Tracking number: **ESTTA428791**

Filing date: **09/06/2011**

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

Proceeding	91195622
Party	Plaintiff Eleos Inc.
Correspondence Address	STEPHEN R BAIRD WINTHROP & WEINSTINE 225 SOUTH 6TH STREET, SUITE 225 MINNEAPOLIS, MN 55402 UNITED STATES sbaird@winthrop.com, kbrennan@winthrop.com, trademark@winthrop.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Susan A. Perera
Filer's e-mail	trademark@winthrop.com, sbaird@winthrop.com, bwalz@winthrop.com, sperera@winthrop.com, aeichrodt@winthrop.com
Signature	/SAP/
Date	09/06/2011
Attachments	Motion to Suspend with Consent.pdf (3 pages)(93194 bytes)

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

In the matter of Application Ser. No.: 77/923,215
Filed: January 29, 2010
For the mark: AZEDRA
Published in the Trademark Official Gazette on June 15, 2010

Eleos Inc.,

Opposer,

v.

Opposition No. 91195622

Molecular Insight Pharmaceuticals, Inc.,

Applicant.

MOTION TO SUSPEND OPPOSITION PROCEEDING WITH CONSENT

Eleos, Inc. (“Opposer”) hereby moves to suspend Opposition No. 91195622 (the “Opposition Proceeding”) to provide the parties additional time to determine if an amicable resolution of the Opposition Proceeding is possible. On September 2, 2011, Nicole Gage, counsel for Applicant, consented to the filing of this motion, to allow more time to determine whether settlement is a possibility.

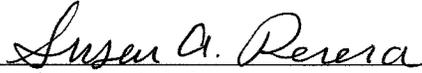
Because the parties believe settlement of the Opposition Proceeding is possible, the parties agreed to suspend these proceedings for 60 days to pursue settlement negotiations and a final resolution of this matter. This motion is filed not for purposes of delay, but to allow the parties time to investigate the possibility of settlement. Therefore, the parties respectfully request that the Board grant the Motion to Suspend Opposition Proceeding with Consent and adopt the following schedule:

Initial Disclosures Due	12/5/2011
Expert Disclosures Due	4/3/2012
Discovery Closes	5/3/2012
Plaintiff's Pretrial Disclosures	6/17/2012
Plaintiff's 30-day Trial Period Ends	8/1/2012
Defendant's Pretrial Disclosures	8/16/2012
Defendant's 30-day Trial Period Ends	9/30/2012
Plaintiff's Rebuttal Disclosures	10/15/2012
Plaintiff's 15-day Rebuttal Period Ends	11/14/2012

Respectfully submitted,

WINTHROP & WEINSTINE, P.A.

Dated: September 6, 2011


Stephen R. Baird
Bradley J. Walz
Susan A. Perera
3500 Capella Tower
225 South Sixth Street
Minneapolis, MN 55402
(612) 604-6400 (Telephone)
(612) 604-6800 (Facsimile)

ATTORNEYS FOR OPPOSER

6274851v1

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

In the matter of Application Ser. No.: 77/923,215
Filed: January 29, 2010
For the mark: AZEDRA
Published in the Trademark Official Gazette on June 15, 2010

Eleos Inc.,

Opposer,

v.

Opposition No. 91195622

Molecular Insight Pharmaceuticals, Inc.,

Applicant.

CERTIFICATE OF SERVICE BY MAIL

This is to certify that on this 6th day of September, 2011, I served by e-mail, a true and correct copy of:

1. Motion to Suspend Opposition Proceeding with Consent

in the above-captioned action to the following at the last known e-mail address, to-wit:

ngage@foley.com
Nicole E. Gage
Foley & Lardner LLP
111 Huntington Ave.
Boston, MA 02199



Andrea Eichrodt