

**SHERMAN D. PERNIA, Ph.D., J.D.**  
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24 August 2005

Fax Number: (571) 273-0059

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

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Alexandria, VA 22314

**TWO MOTIONS FOR SUSPENSION OF PROCEEDINGS**

MISSIONTREK LTD. CO. (Petitioner) §  
vs. §  
ONFOLIO, INC. (Respondent) §

Number of Pages (including this page): 47

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Atty. Docket No.: MUS-M001-002-C

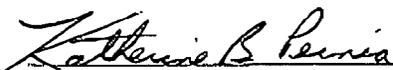
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MISSIONTREK LTD. CO.           §       Cancellation No. 92044538  
vs.                                   §       Registration No. 2904982  
ONFOLIO, INC.                   §       Registration Date: November 23, 2004

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**CERTIFICATE OF SERVICE**

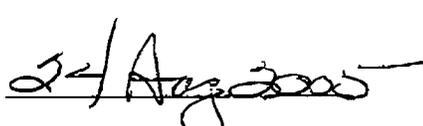
I hereby certify that a true copy of the above document was served upon the attorney of record, Charles E. Weinstein, Esq, for each other party by FACSIMILE to 617-832-7000 on August 24, 2005.

Name of person certifying: KATHERINE B. PERNIA**MOTION FOR SUSPENSION OF PROCEEDINGS**

Petitioner, Missiontrek Ltd. Co., hereby moves that the instant Cancellation proceeding be suspended pending the disposition of Petitioner's Petition for Cancellation of the Registration No. 2618273 of the word mark PROVISIO filed on August 24, 2005, a copy of the filing receipt of which is attached hereto.

By filing this Cancellation of the Registration of the mark PROVISIO, Petitioner will significantly clarify issues raised in the above-mentioned Cancellation of the Registration of the mark ONFOLIO.

Respectfully submitted,

Date:   
Sherman D. Pernia, Ph. D., JD  
Reg. No. 34,404  
1110 NASA Road ONE, Suite 450  
Houston, Texas 77058-3346  
Phone: 281-333-0880  
Fax: 281-333-9144



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Filing date: **08/24/2005**

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

**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

<b>Name</b>	MissionTreck Ltd. Co.		
<b>Entity</b>	Corporation	<b>Citizenship</b>	Texas
<b>Address</b>	813 Palm Desert Drive Garland, TX 75044 UNITED STATES		

<b>Attorney information</b>	Sherman D. Pernia, Ph.D., JD Sherman D. Pernia, Esq. 1110 NASA Parkway, Suite 450 Houston, TX 77058-3346 UNITED STATES sherman@patentinfo.net Phone:281-335-4505		
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**Registration Subject to Cancellation**

<b>Registration No</b>	2618273	<b>Registration date</b>	09/10/2002
<b>Registrant</b>	NIEHUS, Christoph Schulstrasse 9 Muenster, 48149 GERMANY		

<b>Goods/Services Subject to Cancellation</b>	Class 009. First Use: 1998/02/01 , First Use In Commerce: 1998/02/01 Goods/Services: Communications software for connecting users to the global computer network, especially for internet terminal operation; computer software, namely, web browser software
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<b>Related Proceedings</b>	Opposition No. 91165315 Cancellation No. 92044538
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<b>Attachments</b>	tmo5.txt ( 2 pages )(3298 bytes )
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<b>Signature</b>	/Sherman D. Pernia/
<b>Name</b>	Sherman D. Pernia, Ph.D., JD
<b>Date</b>	08/24/2005

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Atty. Docket No.: MUS-M001-002-OP

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MISSIONTREK LTD. CO. § Opposition No. 91165315  
(Petitioner)  
vs. § Application Serial Number: 78360232  
ONFOLIO, INC. § Published in the Official Gazette on 01/25/2005  
(Applicant/Respondent)

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record, Charles E. Weinstein, Esq, for each other party by FACSIMILE to 001-617-832-7000 on August 24,2005

 Name of person certifying: KATHERINE B. PERNIA

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**MOTION FOR SUSPENSION OF PROCEEDINGS**

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Resolution of the referenced Cancellation of the Registration of the mark PROVISIO, Petitioner will significantly clarify issues raised in the instant Opposition to the Registration of the mark ONFOLIO, in particular, by clarifying whether the registration for the mark PROVISIO dilutes the distinctiveness of Petitioner's mark.

Respectfully submitted,

Date: 24 August 2005

By   
Sherman D. Pernia, Ph.D., JD  
Reg. No. 34,404  
1110 NASA Road ONE, Suite 450  
Houston, Texas 77058-3346  
Phone: 281-333-0880  
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<b>Signature</b>	/Sherman D. Pernia/
<b>Name</b>	Sherman D. Pernia, Ph.D., JD
<b>Date</b>	08/24/2005

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