

ESTTA Tracking number: **ESTTA570277**

Filing date: **11/12/2013**

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

Proceeding	92054171
Party	Plaintiff Valeritas, Inc.
Correspondence Address	SHERI S MASON MORSE BARNES-BROWN PENDLETON PC CITYPOINT, 230 THIRD AVENUE, 4TH FLOOR WALTHAM, MA 02451 UNITED STATES ttab@mbbp.com, tdunn@mbbp.com, sconolly@mbbp.com, smason@mbbp.com
Submission	Other Motions/Papers
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Signature	/Sheri S. Mason/
Date	11/12/2013
Attachments	PETITIONER'S 2ND REPORT ON SETTLEMENT PROGRESS (M0592050).PDF(141161 bytes)

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

_____)	
Valeritas, Inc.,)	In the matter of U.S. Reg. No. 3,895,432
)	
Petitioner,)	For the Mark: VGO
)	
v.)	Filing Date: March 2, 2010
)	
VGo Communications, Inc.)	Registration Date: December 21, 2010
)	
Registrant.)	Cancellation No.: 92054171
_____)	

PETITIONER'S SECOND REPORT ON SETTLEMENT PROGRESS

During the current extension, the parties have taken further actions in settlement discussions. The parties discussed terms of the settlement agreement and the Petitioner sent a draft co-existence agreement to Registrant on October 28, 2013. Registrant sent its comments to Petitioner on November 12, 2013.

Issues that have been resolved.

As stated in Petitioner's first Report, the parties agreed in principle to resolve this dispute by entering into a co-existence agreement by which the Registrant agreed to revise its logo design, which is implicated in this proceeding because the specimen of use submitted by Registrant displays the logo design on the product. Since that time, an agreement was drafted and sent and reviewed by the Registrant.

Issues that remain to be resolved.

The parties are currently negotiating the remaining terms of the co-existence agreement.

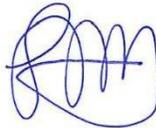
A firm timetable for resolution.

Barring any extraordinary issues, the parties intend to resolve this matter by December 24, 2013.

Respectfully Submitted,

Dated: November 12, 2013

VALERITAS, INC.



By: _____

Sheri S. Mason, Esq.

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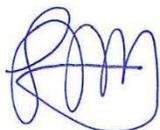
Email: ttab@mbbp.com

CERTIFICATE OF SERVICE

I, Sheri S. Mason, certify that a copy of the foregoing PETITIONER'S SECOND REPORT ON SETTLEMENT PROGRESS was served on:

Michael J. Bevilacqua, Esq.
Barbara A. Barakat, Esq.
John V. Hobgood, Esq.
Wilmer Cutler Pickering Hale & Dorr LLP
60 State Street
Boston, Massachusetts 02109

by email this 12th day of November 2013.



Sheri S. Mason
Counsel for Valeritas, Inc.