

ESTTA Tracking number: **ESTTA576372**

Filing date: **12/13/2013**

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 smason@mbbp.com, ttab@mbbp.com, tdunn@mbbp.com, sconnolly@mbbp.com
Submission	Other Motions/Papers
Filer's Name	Sheri S. Mason
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Signature	/Sheri S. Mason/
Date	12/13/2013
Attachments	PETITIONER'S 3rd REPORT ON SETTLEMENT PROGRESS (M0601127).PDF(148732 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 THIRD REPORT ON SETTLEMENT PROGRESS**

During the current extension, the parties have taken further actions in settlement discussions. Petitioner reviewed Registrants proposal and sent its comments to Registrant on November 22, 2013. Due to holidays and vacation schedules, the parties respectfully request a 30 day extension of time.

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. As stated in Petitioner’s second Report, an agreement is being finalized by the parties.

Issues that remain to be resolved.

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

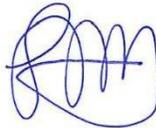
A firm timetable for resolution.

Barring any extraordinary issues, the parties intend to resolve this matter by January 23, 2013.

Respectfully Submitted,

Dated: December 13, 2013

VALERITAS, INC.



By: \_\_\_\_\_

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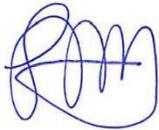
Email: [ttab@mbbp.com](mailto:ttab@mbbp.com)

**CERTIFICATE OF SERVICE**

I, Sheri S. Mason, certify that a copy of the foregoing PETITIONER'S THIRD 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 13th day of December 2013.



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Sheri S. Mason  
Counsel for Valeritas, Inc.