

TTAB

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

The Harris Soup Company, Inc.,)
)
Applicant,)
)
v.)
)
Harry's Farmers Market, Inc. ,)
)
Registrant.)
_____)

Concurrent Use No. 1242



STIPULATED MOTION TO CONTINUE SUSPENSION OF PROCEEDINGS

Pursuant to 37 C.F.R. 2.117(c), and the parties' stipulated motion mailed November 8, 2002, the Board suspended the instant proceedings on December 17, 2002, for six months, i.e., until June 16, 2003, because the parties were engaged in substantive settlement discussions.

Because those settlement discussions are complex and continuing, and in light of the looming deadline, the parties hereby stipulate and jointly move for an order continuing the suspension of the instant proceeding. The continuing substantive settlement discussions may lead to a resolution of the case. Proceedings may be suspended for cause upon motion or upon stipulation of the parties approved by Board. Settlement negotiations are considered good cause. TBMP Rule 510.03(a), citing *MacMillan Bloedel, Ltd. v. Arrow-M Corp.*, 203 U.S. P.Q. 952 (TTAB 1979).

It is so stipulated and respectfully submitted,

ESLER STEPHENS & BUCKLEY

By: Michael J. Esler
Michael J. Esler
of Attorneys for Applicant
e:\wp\Harris Whole Foods\Extension.doc

THOMPSON & KNIGHT, LLP

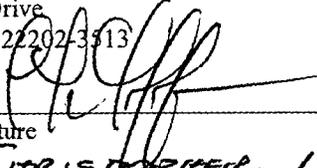
By: Christopher L. Graff
Christopher L. Graff
of Attorneys for Registrant

CERTIFICATE OF MAILING

I hereby certify that this Stipulated Motion to Continue Suspension of Proceedings is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Box TTAB No Fee
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

on June 6, 2003.



Signature

CHRISTOPHER L. CRAFT
Printed Name