

TTAB

EL948035958US

In the Matter of U.S. Appl. Ser. Nos. 75/639,085 and 75/639,090
Both Published on November 23, 1999



IN THE UNITED STATES PATENT AND TRADEMARK

11-21-2002

U.S. Patent & TMO/c/TM Mail Rcpt Ct. #01 ICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Digital Persona, Inc.,

Opposer,

v.

Persona, Inc. (fka Privaseek, Inc.),

Applicant.

OPPOSITION NOS. 91119707 and 91116521

91119707
91116521

STIPULATED MOTION TO SHOW CAUSE WHY DISMISSAL SHOULD NOT BE ENTERED AGAINST ABOVE-REFERENCED PROCEEDINGS AND REQUEST FOR THIRTY- DAY SUSPENSION

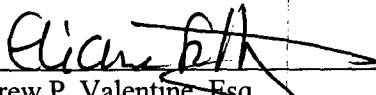
Subject to approval by the Honorable Trademark Trial and Appeal Board, the parties, through their attorneys, stipulate and move the Board not to enter dismissal against the above-referenced oppositions for the following reasons: Opposer has not lost interest in these proceedings. The parties have been engaged in settlement discussion and have now reached an agreement in principle. Under the agreement, Applicant will withdraw its applications that are the subject to these proceedings (and possible other pending applications) without prejudice and the above-referenced Oppositions will be dismissed without prejudice. However, the parties need additional time to finalize their agreement and withdraw Applicant's applications. Accordingly, to enable the parties to finalize their agreement and subject to approval by the Board, the parties, through their attorneys, also stipulate and move the Board for a thirty-day suspension to December 20, 2002, subject to the right of either party to request resumption at any time prior thereto in the above-identified proceedings.

Applicant's counsel, Lisa Koenig, Esq., agreed to this stipulated motion in an email correspondence to Opposer's counsel, Eliane Setton, Esq., on or about November 21, 2002.

Triplicate copies of this request and a self-addressed envelope are enclosed for the Office's convenience in responding to this request. Service has been made on Applicant's counsel as shown on the attached Certificate of Service.

Dated: November 21, 2002

GRAY CARY WARE & FREIDENRICH LLP

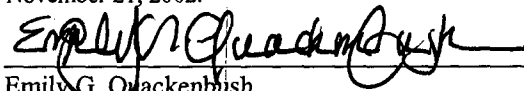
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CERTIFICATE OF EXPRESS MAILING

I, Emily G. Quackenbush, hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, as Express mail in an envelope addressed to Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, BOX TTAB NO FEE, on this date of November 21, 2002.


Emily G. Quackenbush
Date of Deposit: November 21, 2002
Express Mail No.: EL948035958US

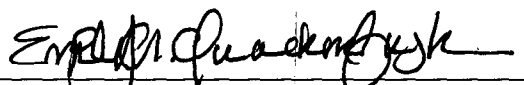
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was forwarded by first-class mail, postage pre-paid to:

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Counsel for Applicant Persona, Inc. (fka Privaseek, Inc.).

Executed on this 21st day of November 2002


Emily G. Quackenbush