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

MUSCLETECH RESEARCH AND  
DEVELOPMENT, INC.,

Opposer,

v.

VITAQUEST INTERNATIONAL, INC.,

Applicant.

Opposition No. 122,022



05-16-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #74

**MOTION TO RESUME OPPOSITION PROCEEDINGS**

Opposer, MuscleTech Research and Development, Inc., through its undersigned counsel, hereby requests that the above-referenced Opposition proceedings be resumed.

On December 29, 2001, the proceedings were suspended in view of the parties' ongoing negotiations to reach a possible settlement. Since then, however, Opposer's attempts to further settlement negotiations have been ignored by Applicant.

Accordingly, Opposer respectfully requests that the proceedings be resumed and the discovery and trial periods reset.

Respectfully submitted,

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Dated: May 14, 2002

By:

Attorneys for Opposer  
MuscleTech Research and Development, Inc.

TRADEMARK TRIAL AND  
APPEAL BOARD  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion to Resume Opposition Proceedings was served on the 14th day of May, 2002, by first class, postage prepaid mail on Charles J. Raubicheck, Esq., Frommer Lawrence & Haug LLP, 745 Fifth Avenue, New York, NY 10151.

Dated: May 14, 2002

Christin J. Caroselli  
Christin J. Caroselli

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on

Date May 14, 2002 Box     

Signature Leslee Fair  
KENYON & KENYON