

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

To the Commissioner for Trademarks
Box TTAB
P.O. Box 1451
Alexandria, Virginia 22313-1451

TTAB


In the matter of Application Serial No. 78/106,598, Published in the Official Gazette on
September 24, 2002

SOVEREIGN BANK,)
)
Opposer,)
)
v.)
)
F.N.B. CORPORATION,)
)
Applicant.)
)
)

Opposition No. 91153292

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the original of this Applicant F.N.B. Corporation Motion to Suspend Proceedings is being sent via U.S. Express Mail #EF 184025086 US addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, Box TTAB, on October 22, 2004.


Kathleen L. Kolacz

APPLICANT F.N.B. CORPORATION MOTION TO SUSPEND PROCEEDINGS

Applicant, **F.N.B. CORPORATION**, by and through the undersigned counsel, pursuant to T.B.M.P. §510.03(a) and C.F.R. §2.117(c), hereby requests that the above-captioned opposition

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Mark: RED CARPET

proceeding be suspended, together with all pending matters and motions, for six (6) months from the date of the Trademark Trial and Appeal Board's ("TTAB") order.

This motion is made in good faith and not for the purpose of delay. The parties are addressing settlement possibilities.

The parties are presently involved in settlement discussions concerning the above-referenced matter and believe it would be imprudent to spend the time and money necessary for discovery and trial preparation while they proceed with their settlement negotiations. It is respectfully submitted that a suspension of dates for response to discovery and all other dates from the date of decision of this Motion will be in the best interest of all concerned.

The settlement of this dispute by amicable resolution between the parties may dispose of the necessity for this Opposition proceeding and a separate but closely related third-party action also before the TTAB. It is believed that resolution of this action may be dispositive of resolving the other action or greatly assist the parties herein in doing so. Furthermore, the policy of the TTAB is to encourage settlement efforts. See T.B.M.P. §605.01.

Applicant is presently in the final stages of reviewing a settlement draft, prepared and submitted by Opposer, and is

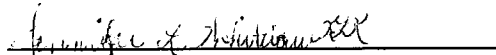
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nearing executing of same. Applicant thus believes the opposition has a high probability of being resolved. It would thus be imprudent to spend unnecessary time and money on unnecessary responses.

WHEREFORE, Applicant **F.N.B. CORPORATION** respectfully requests suspension of the Opposition proceeding pending the outcome of the settlement proceedings. If settlement is not reached, the parties will request that the Board lift the suspension and reset all relevant dates in the Opposition proceeding.

Accordingly, Applicant submits that it has shown good cause for suspending the opposition.

Respectfully submitted,



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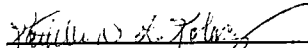
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of this Applicant's Motion to Suspend Proceedings was served on

Timothy D. Pecsénye, Esquire
David M. Perry, Esquire
Blank, Rome, Comisky & McCauley LLP
One Logan Square
Philadelphia, Pennsylvania 19103

via first class mail, postage prepaid on October 22, 2004.


KATHLEEN L. KOLACZ