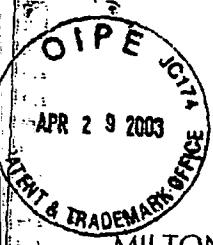


TTAB



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



MILTON SALES, INC.,)
)
Petitioner,)
)
v.)
)
UNIVERSAL MANUFACTURING)
COMPANY, INC.,)
)
Registrant.)

04-29-2003
U.S. Patent & TMO/TM Mail Rpt Dt. #66

Cancellation No. 41,773
Reg. No. 2,674,475
Mark: SPEEDY

*Patent
coil
153705*

RESPONSE TO ORDER OF APRIL 17, 2003

Petitioner is in receipt of the Interlocutory Attorney's order of April 17, 2003 suspending the above proceeding based on Registrant's motion. It would have been appreciated if Petitioner had been permitted to respond to the motion. In this regard, the order was prepared and mailed even before or at the same time Petitioner's response was due. Petitioner believes there are circumstances and facts that could have affected the granting of the motion for suspension and, respectfully, the motion should not have been granted as a matter of course.

For the record, Petitioner filed letters of protest requesting a suspension of several of the applications for marks involved in the West Virginia litigation. Jesse Marshall denied the letters of protest and would not let the Examiners even consider the West Virginia complaint for purposes of suspending the applications.

Furthermore, Petitioner requested Registrant to extend the period for filing the notices of opposition. Registrant did not respond to this request. Therefore, Petitioner was forced to file six opposition and/or cancellation proceedings.

Ja

In some proceedings, Registrant waited until after discovery had been served to request a suspension, more than five months after the proceeding was originally instituted.

Date: April 22, 2003

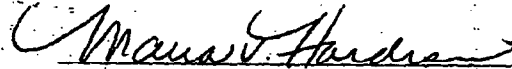
By: 

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CERTIFICATE OF SERVICE

I certify that foregoing Response to Order of April 17, 2003 was mailed, first-class, postage prepaid, this 22nd day of April 2003, to:

Brian P. O'Donnell, Esq.
Jenner & Block, LLC
One IBM Plaza
Chicago, Illinois 60611


Maria v. Hardison