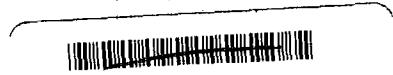


TTAB

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

IN-N-OUT BURGERS)
)
 OPPOSER)
)
 v.)
)
 TONY CHACHERE'S CREOLE)
 FOODS OF OPELOUSAS, INC.)
)
 APPLICANT)
)

OPPOSITION NO. 91154347



06-24-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

**MOTION FOR SUSPENSION OF PROCEEDINGS AND
RESCHEDULING DISCOVERY AND TESTIMONY PERIODS**

Opposer, by its attorney, hereby moves, pursuant to Trademark Rule 2.117(c), for suspension of all proceedings for a period of sixty (60) days from June 24, 2003 (i.e., until August 23, 2003) and pursuant to Rule 2.121(d), for an order extending the date for the close of discovery and rescheduling the parties testimony periods as follows:

- Discovery period to close: September 29, 2003
- 30-day testimony period for party in position of plaintiff to close: December 29, 2003
- 30-day testimony period for party in position of defendant to close: February 24, 2004
- 15-day rebuttal testimony period for plaintiff to close: April 9, 2004

As grounds in support of this motion, Opposer asserts that the parties, through their attorneys, are engaged in settlement discussions that, if successful, will result in the termination of this proceeding. Suspension is requested in order to allow the parties to maintain the status quo pending the outcome of these settlement negotiations.

Counsel for Applicant has orally consented to this motion by telephone conference of June 23, 2003.

This motion has been submitted in triplicate to permit the Board to stamp the motion as "Approved" and to serve conformed copies on the parties.

Respectfully submitted,
In-N-Out Burgers


Edward O. Ansell

Edward O. Ansell
Attorney for Opposer

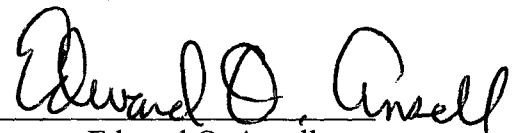
June 24, 2003

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Claremont, CA 91711
Phone: (909)625-1244/Fax: (909)624-1664
E-mail: anselaw@att.net

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2003, I served the foregoing Consent Motion on the Applicant by mailing a copy thereof by Priority Mail, postage prepaid, addressed to Applicant's counsel as follows:

Thomas W. Brooke, Esq.
Holland & Knight, L.L.P.
2099 Pennsylvania Ave., N.W., #100
Washington, DC 20006-6801


Edward O. Ansell