

ESTTA Tracking number: **ESTTA11338**

Filing date: **07/08/2004**

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

<b>Proceeding</b>	91155077
<b>Party</b>	Defendant JOAR OPHEIM Opheim, Joar 3040 Valencia Ave. Aptos, CA 95003
<b>Correspondence Address</b>	HOWARD E. LEBOWITZ 19682 HESPERIAN BLVD., SUITE 208 HAYWARD, CA 94541
<b>Submission</b>	Motion to Suspend for Settlement Discussions
<b>Filer's Name</b>	Howard E. Lebowitz
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<b>Signature</b>	/Howard E. Lebowitz/
<b>Date</b>	07/08/2004
<b>Attachments</b>	Motion to Suspend 2.pdf ( 2 pages )

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

Genetics Institute, LLC )  
v. )  
Joar Opheim and Michelle Opheim, )  
a partnership DBA Nordic Naturals )  
Opposition No.: 91155077 )

**Consented Motion to Further Suspend the Proceedings for the Purpose of  
Settlement Negotiations**

Applicant, with the consent of Opposer, respectfully moves the Board to further suspend the Opposition Proceeding for an additional one hundred eighty (180) days from the date of filing of this motion pursuant to 37 CFR 2.117(c), subject to resumption by motion of either party at any time. The purpose of the suspension is for conclusion of settlement negotiations. If the Board resumes the proceedings, the parties request that the Board reset the dates for taking action by the time between the date of filing of this motion and the date of resumption.

It is, in particular, respectfully moved that the resumption of proceedings as noticed on June 30, 2004 be suspended. The status of negotiations is very promising and a draft is

being circulated for consideration of the respective principals. The undersigned attorney inadvertently failed to input the motion timely and inform the board of the promising status.

This motion has been consented by Opposer's attorney Mary M. Cheli.

BY:

*Howard E. Lebowitz*

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*July 8, 2004*

Certificate of Service

I hereby certify that a true and complete copy of the foregoing has been served on Egon E. Berg and Mary M. Cheli, Attorneys for Wyeth, by mailing by First Class mail on July 8, 2004 separate copies to Egon E. Berg, Esquire, and Mary M. Cheli, Esquire both at Wyeth, Five Giralda Farms, Madison, New Jersey 07940.

*Howard E. Lebowitz*  
*July 8, 2004*