

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

In the Matter of Application

Serial Nos.: 78/114,943; 78/114,947; and 78/114,952

Application Date: March 14, 2002

Trademarks: MEDIQUEST, IMMUNOQUEST and NEUROQUEST



04-19-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

QUEST DIAGNOSTICS INCORPORATED,

Opposer,

v.

MEDIQUEST THERAPEUTICS, INC.

Applicant.

Opposition No: 91-156,554

Opposition No: 91-156,916

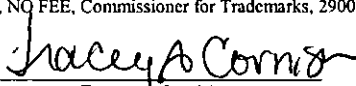
Opposition No: 91-156,981

STIPULATED MOTION TO SUSPEND PROCEEDINGS

Pursuant to Trademark Rule 2.117(c), Opposer Quest Diagnostics Incorporated and Applicant MediQuest Therapeutics, Inc., through their respective attorneys, hereby request that the above-captioned proceedings be suspended for sixty (60) days up to and including June 19, 2004. The parties have entered into a Trademark Agreement and the parties wish to have this opposition suspended, so that the Trademark Trial and Appeal Board and the United States Patent and Trademark Office will have sufficient time to examine and accept the stipulated amendments to the descriptions of goods with respect to the three trademark applications involved in this consolidated opposition. Applicant's counsel, Thomas J. Hoffmann, consented to this suspension in an e-mail on April 19, 2004 to the undersigned.

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV405722465US "Express Mail Post Office to Addressee", in an envelope addressed to BOX TTAB, NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on this 19th day of April, 2004.


Tracey A. Cornish

Opposition No: 91-156,554
Opposition No: 91-156,916
Opposition No: 91-156,981

Opposer has consented to the amendment to the identification of goods as filed by Applicant on April 13, 2004, which will amend the description of goods in the three pending trademark applications to the following:

MEDIQUEST (Appl. Ser. No. 78/114,943): Small molecule pharmaceuticals and chemicals for use in disease therapeutics **in International Class 5**;

IMMUNOQUEST (Appl. Ser. No. 78/114,947): Small molecule pharmaceuticals and chemicals for use in autoimmune therapeutics **in International Class 5**; and

NEUROQUEST (App. Ser. No. 78/114,952): Small molecule pharmaceuticals and chemicals for central nervous system therapeutics **in International Class 5**.

As reflected by Section 510.03(b) of the Trademark Trial and Appeal Board Manual of Procedure and *MacMillan Bloedel Ltd. v. Arrow-M Corp.*, 203 USPQ 952 (TTAB 1979), the parties reserve their rights to request resumption of the proceedings at any time during the suspension period.

Date: April 19, 2004

Respectfully submitted,

BAKER & McKENZIE



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Pamela J. Wong
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101 West Broadway
12th Floor
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(619) 236-1441

Opposition No: 91-156,554
Opposition No: 91-156,916
Opposition No: 91-156,981

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **STIPULATED MOTION TO SUSPEND PROCEEDINGS** was served upon the attorneys of record by depositing a copy of the same with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Thomas J. Hoffmann, Esq., Gray Cary Ware & Freidenrich, 701 Fifth Avenue, Suite 7000, Seattle, Washington 98104-7044 on the 19th of April, 2004.


Cheryl A. Withycombe

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April 19, 2004

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Commissioner for Trademarks
2900 Crystal Drive
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04-19-2004
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

Re:	Opposer	:	Quest Diagnostics Incorporated
	Opposition Nos.	:	91-156,554; 91-156,916 and 91-156,981
	Applicant	:	MediQuest Therapeutics, Inc.
	Marks	:	MEDIQUEST, IMMUNOQUEST, NEUROQUEST
	Class	:	5
	Application Nos.	:	78/114,943; 78/114,947; and 78/114,952
	Filing Date	:	March 14, 2002
	Publication Date	:	September 24, 2002
	Our File	:	67148350-1004

Dear Sir or Madam:

Enclosed herewith please find Opposer Quest Diagnostics Incorporated's Stipulated Motion to Suspend the Proceedings for sixty (60) days in connection with the above-referenced Consolidated Trademark Opposition along with the Certificate of Service on Applicant.

All correspondence in this case should be sent to:

Cheryl A. Withycombe, Esq.
BAKER & MCKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441

Please file-stamp and return the self-addressed postcard to this office for our records. Please charge any deficit or credit any excess to our Deposit Account No. 02-0410 (Baker & McKenzie). Thank you.

Very truly yours,

BAKER & MCKENZIE
Cheryl A. Withycombe
Cheryl A. Withycombe*

Enclosures

*Licensed in Illinois, U.S.A. only, not licensed in California.
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