

ESTTA Tracking number: **ESTTA15483**

Filing date: **09/21/2004**

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

<b>Proceeding</b>	91157759
<b>Party</b>	Defendant Robert D. Newman and Specilaty Products of Missouri, Inc. NEWMAN, ROBERT D. P.O. Box 377 Greenwood, MO 64034
<b>Correspondence Address</b>	MICHAEL ELBEIN HOVEY WILLIAMS LLP 2405 GRAND BLVD SUITE 400 KANSAS CITY, MO 64108
<b>Submission</b>	APPLICANT'S REQUEST FOR REMOVAL FROM SUSPENSION
<b>Filer's Name</b>	Michael Elbein
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<b>Signature</b>	/michael elbein/
<b>Date</b>	09/21/2004
<b>Attachments</b>	Applicant's Req for Withdrawl of Suspension - p1.tif ( 1 page ) Applicant's Req for Withdrawl of Suspension - p2.tif ( 1 page ) Applicant's Req for Withdrawl of Suspension - p3.tif ( 1 page )

**UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

The Sherwin-Williams Company	)	
	)	Opposition No. 91157759
Opposer,	)	Serial No. 76/374,089
v.	)	
	)	
Robert D. Newman and	)	
Specialty Products of Missouri, Inc.	)	
	)	
Applicant.	)	

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**APPLICANT'S REQUEST FOR  
REMOVAL FROM SUSPENSION**

Applicants Robert D. Newman and Specialty Products of Missouri, Inc., by its undersigned counsel, hereby request that the suspension entered on May 20, 2004, be lifted, that the opposition resume and the dates for the completion of discovery and the testimony periods be reset.

The matter has been suspended since May 20, 2004. At that time the parties had requested an extension of the discovery period to August 30, 2004. Therefore, Applicant respectfully requests a comparable period of time (3 months) be allowed for completion of discovery upon resumption of the proceedings.

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**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that the foregoing Applicant's Request for Removal of Suspension regarding U.S. Serial No. 76/374,089 is being submitted via the ETTSA electronic filing system on this 21<sup>st</sup> day of September 2004.

HOVEY WILLIAMS LLP


  
Vasuki Selvan

Opposition No. 91157759  
Serial No. 76/374,089

The settlement discussions between the parties which had been undertaken earlier have failed to achieve a resolution of this matter.

Respectfully submitted,  
**Robert D. Newman and  
Specialty Products of Missouri, Inc.**  
(Applicant)

**HOVEY WILLIAMS LLP**

By   
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**ATTORNEYS FOR APPLICANT**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of APPLICANT'S REQUEST FOR REMOVAL FROM SUSPENSION was mailed, first class, postage prepaid, this 21<sup>st</sup> day of September, 2004 to the following:

Robert E. McDonald, Esq.  
The Sherwin-Williams Company  
101 Prospect Avenue NW  
1100 Midland Bldg. - Legal Dept.  
Cleveland, OH 44115-1075

ATTORNEYS FOR OPPOSER



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