

ESTTA Tracking number: **ESTTA34358**

Filing date: **05/31/2005**

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

Proceeding.	91162244
Applicant	Plaintiff VITALITY FOODSERVICE, INC ,
Other Party	Defendant INDIANA BOTANIC GARDENS, INC. INDIANA BOTANIC GARDENS, INC. 3401 WEST 37TH AV. HOBART, IN 46342

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. VITALITY FOODSERVICE, INC requests that this proceeding be suspended for 180 days to allow the parties to continue their settlement efforts.

VITALITY FOODSERVICE, INC has secured the express consent of all other parties to this proceeding for the suspension requested herein.

VITALITY FOODSERVICE, INC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,
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05/31/2005