

**BOX TTAB - NO FEE**  
TRADEMARK  
4030-0162L



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

IN THE TRADEMARK APPLICATION OF  
Green Energy Inc.

Application No.: 78/336,956  
Filed: December 5, 2003  
Mark: SUNWAVE  
Class: Int'l. Class 11

Published in the Official  
Gazette dated September 14, 2004

SMARTPOOL, INC. )  
 )  
 Opposer, )  
 )  
 v. )  
 )  
 GREEN ENERGY INC. )  
 )  
 Applicant or Registrant )

Opposition No. 91163836  
(Serial No. 78/336,956)



08-30-2006  
U.S. Patent & TMO/TM Mail Rpt Dt. #30

**ATTN: BOX TTAB**

**AGREED MOTION TO CONTINUE SUSPENSION OF OPPOSITION**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

August 30, 2006

Sir:

The parties, by and through their respective counsel, request further suspension of one (1) month in connection with the present Opposition. The parties have exchanged settlement agreements to settle the dispute. The agreements are now in the final stage of being reviewed and signed. Additional

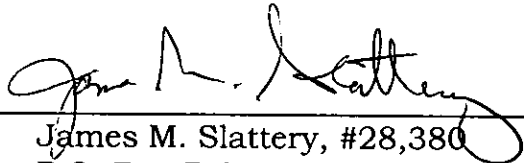
time is necessary to obtain the signatures of the parties on the finalize agreement to obviate the need to proceed with the present Opposition.

The present request to suspend was agreed to by Mr. Thomas Toner, the attorney for the Applicant, during a telephone conversation on August 30, 2006.

The present request to suspend is not being filed for the purpose of delay, but for the reason set forth hereinabove.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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JMS/BG/adt  
4030-0162L

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the foregoing Agreed Motion to Continue Suspension of Opposition has been served upon the attorney for the Applicant:

Thomas E. Toner  
Smith & Hopen, P.A.  
180 Pine Avenue, North  
Oldsman, Florida 34677

via first-class mail, postage prepaid, on this 30<sup>th</sup> day of August, 2006.

By Ann Thomas  
Ann Thomas