

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

The Brinkmann Corporation,)	
)	Opposition No. 91164169
Opposer,)	
)	Serial No. 76/484,030
v.)	
)	Filed: January 21, 2003
Mag Instrument, Inc.,)	
)	Mark: Flashlight Band Design
Applicant.)	
)	Published: September 28, 2004

MOTION WITH CONSENT TO SUSPEND OPPOSITION PROCEEDING

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



03-07-2006
U.S. Patent & TMO/ITM Mail Rcpt Dt #11

Sir:

Opposer and Applicant in the above-identified Opposition, by and through their respective attorneys, hereby mutually consent and request that these proceedings be suspended for a period of six (6) months and that all periods, including discovery and testimony periods, be reset by the Board upon resumption of these proceedings. Consent to this request was given by Applicant through opposing counsel in a telephone conversation with Anna Raimer and the undersigned on March 3, 2006.


This request is made in good faith and not for mere delay. The extension is necessary to allow the parties sufficient time to continue negotiations regarding settlement of this matter in an attempt to resolve this matter.

For the reasons set forth above, Opposer and Applicant respectfully request that the Board grant the requested suspension.

March 3, 2006

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: 

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this MOTION WITH CONSENT TO SUSPEND OPPOSITION PROCEEDING is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on March 3, 2006.

By Betty I. Rodriguez
BETTY I. RODRIGUEZ

CERTIFICATE OF SERVICE

I hereby certify that a copy of the MOTION WITH CONSENT TO SUSPEND OPPOSITION PROCEEDING was served by first class mail, postage prepaid, on Anna Raimer, Esq., Jones Day, 555 South Flower Street, Fiftieth Floor, Los Angeles, CA 90071, attorneys for Applicant, Mag Instrument, Inc., on March 3, 2006.

By Betty I. Rodriguez
BETTY I. RODRIGUEZ