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

Proceeding	91166607
Party	Plaintiff KONA USA INC. KONA USA INC. 2455 SALASHAN FERNDALE, WA 98248
Correspondence Address	Kevin S. Costanza SEED IP Law Group PLLC 701 Fifth Avenue; Suite 6300 Seattle, WA 98104-7092
Submission	Other Motions/Papers
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

KONA USA, INC.,)	
)	Opposition No. 91/166607
Opposer,)	
)	Serial No. 78/346,736
v.)	
)	
LYNETTE J. STEVENS,)	
)	Docket No. 130043.805
Applicant.)	
)	
)	
)	

**OPPOSER’S MOTION TO SUSPEND PENDING DECISION
ON MOTION FOR SUMMARY JUDGMENT AND MOTION
TO AMEND NOTICE OF OPPOSITION**

Kona USA, Inc. (“Opposer”), hereby moves that this opposition proceeding be suspended with respect to all matters not germane to Opposer’s Motion for Summary Judgment and Motion to Amend the Notice of Opposition filed concurrently herewith, until the Board has had an opportunity to consider and rule on those two motions.


Suspension of this opposition proceeding pending the Board’s decision on those motions is appropriate under 37 C.F.R. § 2.127(d) in that they are potentially dispositive of this proceeding.

Opposer believes that its Motion for Summary Judgment should be granted. If the Board denies summary judgment, however, Opposer requests that its testimony period be reset to close 60 days after the mailing date of the Board's ruling on that Motion to allow Opposer time to take testimony and present its case in this proceeding.

Accordingly, Opposer's instant Motion to Suspend and to reset dates as requested above should be granted.

DATED this 28th day of July, 2006.

SEED IP Law Group PLLC




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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of July, 2006, the foregoing **OPPOSER'S MOTION TO SUSPEND PENDING DECISION ON MOTION FOR SUMMARY JUDGMENT AND MOTION TO AMEND NOTICE OF OPPOSITION** was served upon Applicant by United States first-class mail, postage-prepaid, addressed as follows:

Ms. Lynette J. Stevens
73-4335 Holoholo Street
Kailua-Kona, HI 96740



Annette Baca