

ESTTA Tracking number: **ESTTA103609**

Filing date: **10/11/2006**

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

Proceeding	91166943
Party	Defendant Colt Defense LLC Colt Defense LLC 547 New Park Avenue West Hartford, CT 06110
Correspondence Address	H. David Starr Nath & Associates PLLC 112 South West Street Alexandria, VA 22314 UNITED STATES dstarr@nathlaw.com
Submission	Motion to Suspend for Civil Action
Filer's Name	H. David Starr
Filer's e-mail	dstarr@nathlaw.com
Signature	/H. David Starr/
Date	10/11/2006
Attachments	October 2006 Consented Motion to Suspend _ARMY_.pdf (3 pages)(19786 bytes)

Opposition No. 91166943

Attorney Docket No. 61302

Opposition proceeding for the subject application referenced hereinabove.¹

Moreover, the parties continue to agree that their respective courses of action relative to prosecuting or settling the instant Opposition proceeding will likely be affected by the ultimate disposition of the related litigation proceeding, and constitutes good cause under the Board's Rules. TMBP §§ 510.02(a), 510.03(a).

In view of the foregoing, approval of the present Consented Motion is respectfully requested.

Date: October 11, 2006

Respectfully submitted,



H. David Starr
Harold L. Novick
NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314
(703) 548-6284

Attorneys for COLT DEFENSE LLC

¹ The related Opposition proceeding, Opposition No. 91166212, which involves the same subject application, has been placed in suspension pending final disposition of the civil action.

CERTIFICATE OF SERVICE

This is to certify that I am on this date serving a copy of the within and foregoing CONSENTED MOTION TO SUSPEND PROCEEDINGS upon the attorney for Opposer by depositing a true and correct copy of same in the United States Mail in an envelope with sufficient first class postage affixed thereon to ensure delivery, addressed as follows:

James Scott Chafin, Esq.
U.S. ARMY LEGAL SERVICES AGENCY
901 N. Stuart St., Suite 530
Arlington, VA 22203



H. David Starr
Attorney for Applicant

Date: October 11, 2006

NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314
(703) 548-6284

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

DEPARTMENT OF THE ARMY,)
)
 Opposer,)
)
 v.)
)
COLT DEFENSE LLC,)
)
 Applicant.)
_____)

Opposition No. 91166943

Mark: M16
Serial No.: 78/328,226
Filed: November 13, 2003

CONSENTED MOTION TO SUSPEND PROCEEDINGS

Applicant, COLT DEFENSE LLC (“Colt”), by counsel, hereby moves, with the consent of Opposer, DEPARTMENT OF THE ARMY (“Army”) to suspend proceedings in the above-captioned matter pending final disposition of a civil action, which is a related proceeding, and to extend the time within which Colt may answer, move or object to the Notice of Opposition, until thirty (30) days after the resumption of these proceedings. Counsel for the Army, James Scott Chafin, consented to this Motion by electronic mail on October 6, 2006.

These proceedings are set to resume October 20, 2006 following a six-month suspension in view of a related litigation proceeding which may have a bearing upon the parties’ course of action in the instant Opposition proceeding. As previously indicated, Colt has appealed the final judgment entered on March 23, 2006 in the case captioned, *Colt Defense LLC v. Bushmaster Firearms, Inc.*, Civil Action No. 04-240-P-S (D. Me.), and said appeal remains pending before the United States Court of Appeals for the First Circuit. Bushmaster Firearms, Inc. is also the Opposer in a related