

ESTTA Tracking number: **ESTTA93373**

Filing date: **08/07/2006**

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

Proceeding	91167819
Party	Defendant Kabushiki Kaisha Hitachi Seisakusho Kabushiki Kaisha Hitachi Seisakusho 6, Kanda-Surugadai 4 chome JPX Chiyoda-ku, Tokyo,
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Submission	Stipulated/Consent Motion to Reopen
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Signature	/Michelle Burke/
Date	08/07/2006
Attachments	Stipulated Request for Reopening Answer Period and Suspension.pdf (3 pages) (10036 bytes)

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

Inspire Pharmaceuticals, Inc.

Opposer,

vs.

Kabushiki Kaisha Hitachi Seisakusho d/b/a
Hitachi, Ltd.

Applicant.

Opposition Number: 91167819

Mark: INSPIRE THE NEXT

Serial Number: 75/924,852

Filed: February 22, 2000

**STIPULATED REQUEST FOR REOPENING
PERIOD TO ANSWER NOTICE OF OPPOSITION
AND FOR SUSPENSION
OF OPPOSITION PURSUANT TO 37 C.F.R. § 2.117(C)**

It is hereby stipulated by and between the parties, through their respective counsel, the Trademark Trial and Appeal Board consenting thereto, that the period for Applicant to answer the Notice of Opposition be reopened, having expired on August 2, 2006, and that the above-identified Opposition proceeding be suspended for sixty days.

The parties have executed a Settlement Agreement. Settlement is conditioned upon the entry of an amendment to the Applicant's identification of goods and services, which has been filed with the Trademark Trial and Appeal Board, but has not yet been acted upon. Once the Amendment has been entered, the Notice of Opposition will be withdrawn. However, since these procedural conditions have not yet been met, both parties' counsel being mindful of the running of the dates in the opposition, and wishing to avoid any prejudice to either party in the event the amendment to the identification of goods is not accepted, Applicant hereby requests that the Board suspend the Opposition proceeding for sixty days, and reopen and reset the date

for Applicant to answer the Notice of Opposition to thirty days following the lifting of the requested suspension.

Counsel for Opposer has stated that his concurrence to the reopening of the period for Applicant to file an answer to the Notice of Opposition and this request for suspension could be specified in this stipulation without the need for his corresponding signature.

KABUSHIKI KAISHA HITACHI SEISAKUSHO
d/b/a HITACHI, LTD.

By: /Michelle C. Burke/
Michelle C. Burke
Attorney for Applicant

Dated: August 7, 2006

CHI99 4657159-1.017575.0644

CHI99 4666890-1.017575.0644

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing STIPULATED REQUEST FOR REOPENING PERIOD TO ANSWER NOTICE OF OPPOSITION AND FOR SUSPENSION OF OPPOSITION was served upon the following attorneys of record for Opposer by First Class Mail, postage prepaid, this 7th day of August, 2006.

Barbara E. Johnson
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The Webb Law Firm
700 Koppers Building
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 /Michelle C. Burke/
Michelle C. Burke