

ESTTA Tracking number: **ESTTA148965**

Filing date: **07/02/2007**

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

Proceeding	91171567
Party	Plaintiff Dr. Pepper/Seven Up, Inc. Dr. Pepper/Seven Up, Inc. ,
Correspondence Address	Barbara A. Solomon, Esq. Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES bsolomon@frosszelnick.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Barbara A. Solomon
Filer's e-mail	bsolomon@frosszelnick.com
Signature	/Barbara A. Solomon/
Date	07/02/2007
Attachments	91171567 Motion on Consent to Suspend Opposition for 180 Days.pdf (3 pages) (644975 bytes)

Thirty day testimony period for party in position of plaintiff to close:	August 19, 2008
Thirty day testimony period for party in position of defendant to close:	October 19, 2008
Fifteen day rebuttal testimony period to close:	December 3, 2008

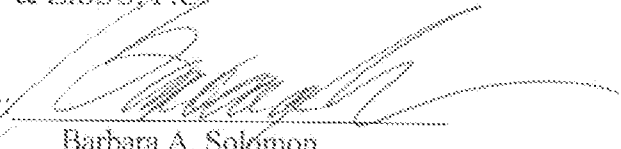
The parties have further agreed that responses to any discovery requests served prior to the filing of this motion shall be served thirty (30) days after the proceedings resume. The parties acknowledge and recognize that the proceedings may resume without further order or notification from the Board.¹

For the reasons set forth above, Opposer, with the consent of Applicant, respectfully requests that the motion for suspension be granted and that the dates be reset as indicated above.

Dated: New York, New York
July 2, 2007

FROSS ZELNICK LEHRMAN
& ZISSU, P.C.

By


Barbara A. Solomon
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*Attorneys For Oppose
Dr Pepper/SevenUp, Inc.*

¹ Opposer was unable to file the motion electronically because it could not provide an email address for Applicant's counsel.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion on Consent to Suspend Opposition for 180 Days was served on Applicant by mailing a true copy of the same via first-class mail, postage pre-paid, to Applicant's counsel, Moonray Kojima, Esq., P.O. Box 627, Williamstown, MA 01267-0627, on July 2, 2007



Barbara A. Solomon