

ESTTA Tracking number: **ESTTA208458**

Filing date: **05/01/2008**

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

Proceeding	91182723
Party	Defendant VELCERA, INC.
Correspondence Address	Peter J. Willsey Cooley Godward Kronish LLP 1200 19th St., N.W., 5th Floor Washington, DC 20036 spiascik@cooley.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Susan L. Piascik
Filer's e-mail	spiascik@cooley.com, raos@wyeth.com, trademarks@cooley.com, smobley@cooley.com
Signature	/Susan L. Piascik/
Date	05/01/2008
Attachments	Req_Suspension_Wyeth_Velcera.pdf (3 pages)(57115 bytes)

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

In the matter of Trademark Application No. 77/026,267
For the Trademark PROMIST

Wyeth,)	
)	
Opposer,)	
)	Opposition No. <u>91182723</u>
v.)	
)	
Velcera, Inc.,)	
)	
Applicant.)	
_____)	

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

MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT


Velcera, Inc. (“Applicant”), through its undersigned attorney, requests a three (3) month suspension, to and including August 2, 2008, of the opposition proceeding filed by Wyeth (“Opposer”).

The parties have reached a settlement of this matter and the requested suspension is necessary to allow Applicant to amend its trademark application for the PROMIST mark, after which the opposition will be withdrawn. Counsel for Opposer, Victoria Branche, stipulated to the requested suspension during an email exchange dated April 30, 2008. This request is for good cause and is not filed for the purpose of mere delay. Favorable consideration is hereby requested.

Respectfully submitted,

COOLEY GODWARD KRONISH LLP

Dated: May 1, 2008

By: 

Peter J. Willsey, Esq.

Susan L. Piascik, Esq.

777 6th Street, NW – Suite 1100

Washington, D.C. 20001

Phone: (202) 842-7800

Fax: (202) 842-7899

pwillsey@cooley.com

spiascik@cooley.com

Attorneys for Velcera, Inc.

CERTIFICATE OF SERVICE

I, Vicki Vaughan, hereby certify that a true and correct copy of the foregoing MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT was served on May 1, 2008 by first class mail, postage prepaid, on the following attorney for the Opposer:

Sudipta Rao, Esq.
Wyeth
Five Giralda Farms
Madison, NJ 07940

Dated: May 1, 2008

A handwritten signature in cursive script, reading "Vicki A. Vaughan", is written over a horizontal line.

Vicki Vaughan