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

Proceeding	91192337
Party	Plaintiff WhiteWave Services, Inc.
Correspondence Address	KRISTIN JORDAN HARKINS CONLEY ROSE, P.C. 5601 GRANITE PKWY., SUITE 750 PLANO, TX 75024 UNITED STATES dallaslit@dfw.conleyrose.com
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Date	08/06/2010
Attachments	4177-03100 SILK Motion to Suspend Opposition Proceeding.pdf (4 pages) (115849 bytes)

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

In the matter of U.S. Trademark Application Serial No. 79/036,931 for the mark SILK owned by Soyuz-Victan Group, Ltd.

WhiteWave Services, Inc.,	§	
	§	
Opposer,	§	Opposition No. 91192337
	§	
vs.	§	Serial No. 79/036, 931
	§	Mark: SILK
Soyuz-Victan Group, Ltd.,	§	
	§	
Applicant.	§	

MOTION TO SUSPEND OPPOSITION PROCEEDING

Applicant, WHITEWAVE SERVICES, INC. (“Opposer”), by and through its attorneys of record and pursuant to C.F.R. § 2.117(c) and TBMP § 510.03(a), hereby moves to suspend the above-identified opposition proceeding for good cause.

As grounds for its request for suspension, Opposer submits that Soyuz-Victan Group, Ltd. (“Applicant”), a foreign entity based in the Ukraine, has not served its initial disclosures, which were due May 28, 2010 as set by the Board. Further, Applicant has not responded to Opposer’s first set of discovery requests, which were served on Applicant on May 27, 2010 and due July 1, 2010. Opposer’s counsel and Applicant’s counsel have communicated regarding Applicant’s failure to serve these documents, and recently, Applicant’s counsel has represented that Applicant intends to withdraw its pending Trademark Application Serial No. 79/036,931 (the “Application”), the subject of this opposition.

Applicant has not, however, filed the necessary documents to withdraw its Application. Applicant's proposed withdrawal of the Application would conclude this opposition. However, should Applicant not withdraw its Application and the proceeding continues, due to Applicant's delay in serving its discovery responses, Opposer will need additional time to prepare and serve discovery depositions on written questions in view of Applicant's foreign entity status.

Accordingly, Opposer respectfully requests that the Board suspend this opposition proceeding pending Applicant's withdrawal of the subject Application or, alternatively, pending Applicant's service of its initial disclosures and responses to Opposer's first set of discovery requests.

RESPECTFULLY SUBMITTED:

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By: *Kristin Jordan Harkins*
Kristin Jordan Harkins
Registration No. 37,859
ATTORNEY OF RECORD FOR
APPLICANT WHITEWAVE
SERVICES, INC.

APPROVED:

Trademark Trial and Appeal Board

CERTIFICATE OF CONFERENCE

I HEREBY CERTIFY that the undersigned authorized representative for Opposer advised Applicant's attorney of record, Maria Eliseeva, via email correspondence on July 20, 2010, of Opposer's intent to request suspension of the opposition proceeding.


Kristin Jordan Harkins
Registration No. 37,859

CERTIFICATE OF TRANSMISSION UNDER TBMP 110

I HEREBY CERTIFY that a true and correct copy of this document, *Motion to Suspend Opposition Proceeding* in Opposition No. 91192337 is being filed electronically through <http://estta.uspto.gov> via the Trademark Trial and Appeal Board Electronic Filing System.

On August 6, 2010.

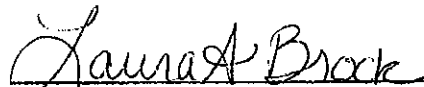

Laura A. Brock

CERTIFICATE OF SERVICE UNDER TBMP 113

I HEREBY CERTIFY that a true and correct copy of the foregoing *Motion to Suspend Opposition Proceedings* in Opposition No. 91192337 has been served by email attachment (as agreed by the parties) to Applicant's attorney of record, Maria Eliseeva, as follows:

Maria Eliseeva
Houston Eliseeva, LLP
4 Militia Drive, Suite 4
Lexington, MA 02421
maria.eliseeva@ghme.com

On: August 6, 2010



Laura A. Brock