

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: July 18, 2012

Opposition No. 91206118
Serial No. 85285669

MARY L KEVLIN
COWAN, LIEBOWITZ & LATMAN PC
1133 AVENUE OF THE AMERICAS,
NEW YORK, NY 10036-6710 UNITED STATES

The Hershey Company and Hershey
Chocolate & Confectionery
Corporation

v.

Promotion In Motion, Inc.

PAUL C LLEWELLYN
KAYE SHOLER LLP
425 PARK AVE,
NEW YORK, NY 10022 UNITED STATES

Denise M. DelGizzi,
Technical Program Manager:

A notice of opposition to the registration sought by the above-identified application has been filed. A service copy of the notice of opposition was forwarded to applicant (defendant) by the opposer (plaintiff). An electronic version of the notice of opposition is viewable in the electronic file for this proceeding via the Board's TTABVUE system: <http://ttabvue.uspto.gov/ttabvue/>.

A review of the record of application Serial No. 85285669 reveals that a letter of protest was granted by the Office of the Deputy Commissioner for Trademark Examination Policy, and on May 18, 2012, jurisdiction was restored to the Trademark Examining Attorney for further examination. On May 20, 2012, the Trademark Examining Attorney issued a "suspension inquiry" requiring a response from applicant regarding information on a pending civil action.

Accordingly, the notice of opposition is instituted; however, proceedings are suspended pending a final determination in application Serial No. 85285669. Within twenty days after the final determination,

the parties shall notify the Board and call this case up for appropriate action. During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.

ESTTA NOTE: For faster handling of all papers the parties need to file with the Board, the Board strongly encourages use of electronic filing through the Electronic System for Trademark Trials and Appeals (ESTTA). Various electronic filing forms, some of which may be used as is, and others which may require attachments, are available at <http://estta.uspto.gov>.
