

TTAB

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

Taiyo Kogyo Co., Ltd.,
Petitioner,
v.
Leynian Ltd. Co.
Registrant.

Cancellation No. 92041571

Attn.: TTAB — No Fee
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513



12-22-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

STIPULATED REQUEST TO SUSPEND PROCEEDINGS

Petitioner, TAIYO KOGYO CO., LTD., requests an order suspending the proceeding for ninety days and rescheduling the discovery period and trial dates in the above-identified opposition proceeding as follows:

- | | |
|---|-----------------|
| Discovery period to close | March 25, 2004 |
| Testimony period for Petitioner to close
(opening thirty days prior thereto) | June 24, 2004 |
| Testimony period for Registrant to close
(opening thirty days prior thereto) | August 26, 2004 |
| Rebuttal testimony period to close
(opening fifteen days prior thereto) | October 7, 2004 |

On December 18, 2003, John Tutunjian, counsel for Registrant LEYNIAN LTD. CO., consented to this motion in a telephone conference call. The parties request a suspension of the proceedings as they are negotiating a settlement of this matter, and are in the process of

exchanging drafts of a settlement agreement. This is the second request to suspend proceedings and third request to extend the trial dates requested by the parties.

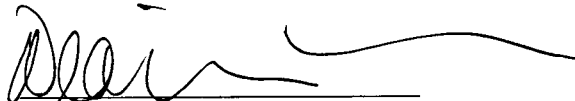
The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of the undersigned, No. 50-2319 (Order No. 463805-00245).

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: December 18, 2003

By:


Diane J. Mason
Attorneys for Petitioner

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111
415-781-1989

CERTIFICATE OF MAILING

I hereby certify that an original and two copies of this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Trademarks, BOX TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202 on December 18, 2003.

Signed:


Lisa Jeanetta

PROOF OF SERVICE BY MAIL

I, Lisa Jeanetta, certify and declare as follows:

I am over the age of 18, and not a party to this action. My business address is Dorsey & Whitney LLP, Four Embarcadero Center, Suite 3400, San Francisco, California 94111.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On December 18, 2003, at my place of business at San Francisco, California, a copy of the following documents: STIPULATED MOTION TO EXTEND DISCOVERY PERIOD AND TESTIMONY PERIODS was placed for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to:

John G. Tutunjian
Keusey, Tutunjian & Bitetto, P.C.
14 Vanderventer Avenue, Suite 128
Port Washington, NY 11050

Attorney for Registrant, Leynian Ltd. Co., and such envelope was placed for collection and mailing on December 18, 2003 following ordinary business practices.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 18, 2003 at San Francisco, California.

Signed: 
Lisa Jeanetta