

ESTTA Tracking number: **ESTTA93876**

Filing date: **08/09/2006**

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

Proceeding	92046017
Party	Defendant SKYLARK SPORT MARKETING CORPORATION SKYLARK SPORT MARKETING CORPORATION 3275 CORPORATE VIEW VISTA, CA 92081
Correspondence Address	SKYLARK SPORT MARKETING CORPORATION 3275 CORPORATE VIEW VISTA, CA 92081
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Antonio Borrelli
Filer's e-mail	axb@cll.com, trademark@cll.com
Signature	/Antonio Borrelli/
Date	08/09/2006
Attachments	prana.pdf (3 pages)(20746 bytes)

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

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DIVINE FOODS, INC., :

Plaintiff, :

v. :

SKYLARK SPORT MARKETING CORPORATION, :

Defendant. :

----- X

Cancellation No. 92 046,017

**MOTION ON CONSENT TO SUSPEND PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Defendant, by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of six (6) months, until **February 9, 2007**. Plaintiff's counsel consented to this motion, which is requested to allow the parties to pursue settlement discussions.

In the event that the Board denies this motion, the parties request an extension of time for Defendant to file an answer or otherwise respond to the Notice of Cancellation until sixty (60) days after such denial.

If the Board grants this motion, in the event that the matter is taken out of suspense, the parties request an extension of time for Defendant to answer or otherwise respond to the Notice of Cancellation until sixty (60) days after the proceedings resume. Additionally, the parties request that six months of discovery be allowed and that the discovery cut off be reset to six (6)

months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods should be reset accordingly.

Dated: New York, New York
August 9, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.

By /Antonio Borrelli/
Jonathan Z. King
Antonio Borrelli
1133 Avenue of the Americas
New York, New York 10036-6799
(212) 790-9200
Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing MOTION ON CONSENT was sent via first class, postage paid mail to Plaintiff's attorney, Thomas D. Foster, Esq., TD Foster and Associates, 12760 High Bluff Drive, Suite 300, San Diego, CA 92130, on August 9, 2006.

/Antonio Borrelli/

Antonio Borrelli