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

In the Matter of:

Trademark Application Serial No. 78155146  
Filed: August 16, 2002  
Mark: VISIONMARK  
Published in the Official Gazette: December 9, 2003

Trademark Application Serial No. 78155156  
Filed: August 16, 2002  
Mark: VISIONMARK and Design  
Published in the Official Gazette: December 2, 2003

Trademark Application Serial No. 78155157  
Filed: August 16, 2002  
Mark: VISIONMARK and Design  
Published in the Official Gazette: December 2, 2003

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being  
deposited with the United States Postal Service as  
first class mail in an envelope addressed to:  
Commissioner for Trademarks, P.O. Box 1451,  
Alexandria, VA 22313-1451, on December 28, 2004  
(Date of Deposit)  
  
Attorney

Visionmark, Inc.,

Opposer,

v.

VisionMark,

Applicant.

Opposition No. 91160099

**Preliminary Response to  
Applicant's Motion for  
Summary Judgment, Stipulating  
to Suspension of Proceedings**

**Preliminary Response to Applicant's Motion for Summary  
Judgment, Stipulating to Suspension of Proceedings**


On December 27, 2004, Applicant filed a Motion for Summary Judgment in the Instant Proceedings. The Motion includes a request, pursuant to 37 C.F.R. §2.127(d), that the Board suspend all proceedings unrelated to this Motion, including the currently set testimony periods, pending resolution of the Motion. Opposer stipulates to this request for suspension of the proceedings, and further requests that the proceedings be suspended effective December 27,



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2004, to preserve intact Opposer's testimony period, previously scheduled to begin on December 28, 2004.

Respectfully submitted,  
Dinsmore & Shohl LLP  
Attorneys for Opposer

By   
Kimberly Gambrel

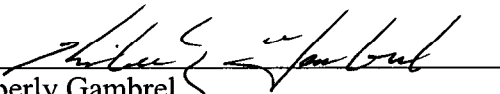
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Preliminary Response to Applicant's Motion for Summary Judgment, Stipulating to Suspension of Proceedings, was served upon Applicant by first class mail, postage pre-paid, addressed to: Diane L. Madenci, Esq., Sean D. Garrison, Esq. and Christopher T. Pierson, Esq., Lewis and Roca LLP, One South Church Avenue, Suite 700, Tucson, Arizona 85701, on this 28th day of December 2004.

  
Kimberly Gambrell