

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

REVIEW OF NONPOSTAL SERVICES

Docket No. MC2008-1 (Phase II)

**LEPAGE'S 2000, INC. AND LEPAGE'S PRODUCTS, INC.'S  
NOTIFICATION OF CONCURRENCE IN USPS' MOTION FOR A STAY OF  
ORDER NO. 392 AND OF THEIR INTENTION TO FILE A FURTHER SUBMISSION  
(March 31, 2010)**

LePage 2000, Inc. and LePage's Products, Inc. (collectively "LePage") respectfully submits this notification of LePage's (a) concurrence in the United States Postal Service's ("USPS") Motion for a Stay and (b) intention to file with the Commission a detailed submission addressing the hardship caused by Order No. 392 and additional/supplemental facts demonstrating that LePage's licensing agreement with the USPS is consistent with Section 404(e).

On February 26, 2010, the USPS filed a Motion for a Stay of Order No. 392 Relating to Mailing and Shipping Licenses. In Order No. 392, the Commission found that the USPS licensing of its intellectual property to private sector licensees for the production of mailing and shipping products to be sold in non-postal retail location was improper under Section 404(e)(3). The Commission ordered the termination of those licenses by no later than December 31, 2010. Order No. 392 at 27. The Commission invited further submissions on any request to extend the December 31, 2010, upon a showing that termination would cause hardship. Id.

In its Motion for a Stay, the USPS requested that the Commission stay its decision concerning the termination of commercial product license agreements relating to mailing and shipping products until at least the D.C. Circuit issues its ruling in United States Postal Service v.

Postal Regulatory Commission, Docket No. 09-1032. In its motion, the USPS specifically refers to the importance of a stay with respect to the licensing agreement it has with LePage 2000 for mailing and shipping products. By its terms, that agreement should continue until 2017.

LePage concurs with the USPS' request for a stay. Indeed, LePage seeks a permanent stay of Order No. 392 with respect to only the license agreement between LePage and USPS for mailing and shipping products. As will be detailed in LePage's comprehensive submission which will be filed shortly, the Commission's forced termination of the contract by the USPS will cause devastating financial and reputational harm to LePage. Further, LePage's comprehensive submission will set forth various facts that previously were not available, or were not presented to the Commission, that demonstrate that the license agreement between LePage and the USPS is unique and actually is appropriate under the requirements of section 404(e)(3).

Respectfully Submitted,

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