

ESTTA Tracking number: **ESTTA342084**

Filing date: **04/13/2010**

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

Proceeding	91191020
Party	Defendant ROSENBAUER INTERNATIONAL AKTIENGESELLSCHAFT
Correspondence Address	STEWART J. BELLUS COLLARD & ROE, P.C. 1077 NORTHERN BLVD ROSLYN, NY 11576-1614 UNITED STATES akaplan@collardroe.com, sbellus@collardroe.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Aimee L. Kaplan
Filer's e-mail	akaplan@collardroe.com, sbellus@collardroe.com
Signature	/alk/
Date	04/13/2010
Attachments	AR-M550N_20100413_122900.pdf (3 pages)(65297 bytes)

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

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Heroes, Inc.	:	
	:	
Opposer,	:	Opposition No. 91191020
	:	
v.	:	
	:	
Rosenbauer International Aktiengesellschaft,	:	
	:	
Applicant.	:	

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CONSENT MOTION

Opposer Rosenbauer International Aktiengesellschaft (“Rosenbauer”) moves to suspend this proceeding for thirty (30) days to allow the parties to continue their settlement efforts:

1. The parties are actively engaged in negotiations for the settlement of this matter.
2. As the ESTTA form does not provide for the extension of the deadline to exchange Initial Disclosures, Rosenbauer moves to suspend the proceedings for thirty (30) days, the dates to be reset as follows:

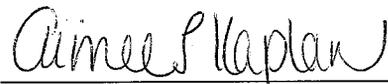
Time to Answer	Closed
Deadline for Discovery Conference	Closed
Discovery Opens	Closed
Initial Disclosures Due	June 13, 2010
Expert Disclosures Due	October 11, 2010

Discovery Closes	November 10, 2010
Plaintiff's Pretrial Disclosures	December 25, 2010
Plaintiff's 30-day Trial Period Ends	February 8, 2011
Defendant's Pretrial Disclosures	February 23, 2011
Defendant's 30-day Trial Period Ends	April 9, 2011
Plaintiff's Rebuttal Disclosures	April 24, 2011
Plaintiff's 15-day Rebuttal Period Ends	May 24, 2011

3. Rosenbauer has secured the consent of Opposer Heroes, Inc. in filing this consent motion.

WHEREFORE, Opposer Rosenbauer respectfully requests that the proceedings be suspended for thirty (30) days.

Rosenbauer International Aktiengesellschaft



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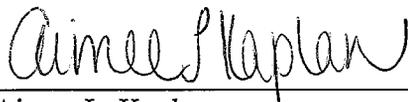
Attorneys for Rosenbauer International
Aktiengesellschaft

Dated: April 13, 2010

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, a copy of the foregoing Consent Motion was sent by e-mail to:

Jenny R. Splitter, Esq.
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Aimee L. Kaplan