

ESTTA Tracking number: **ESTTA336968**

Filing date: **03/12/2010**

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

|                           |  |
|---------------------------|--|
| Proceeding                | 91192997   |
| Party                     | Defendant<br>Scholastic Inc.   |
| Correspondence<br>Address | Edward H. Rosenthal<br>Frankfurt Kurnit Klein & Selz PC<br>488 Madison Avenue<br>New York, NY 10022-5754<br>UNITED STATES<br>pto@fkks.com, cmyler@fkks.com |
| Submission                | Motion to Suspend for Settlement Discussions   |
| Filer's Name              | Cameron A. Myler   |
| Filer's e-mail            | pto@fkks.com, cmyler@fkks.com  |
| Signature                 | /Cameron A. Myler/   |
| Date                      | 03/12/2010   |
| Attachments               | Document.pdf ( 3 pages )(206424 bytes )  |

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

Zink Imaging, Inc.,

Opposer,

v.

Scholastic Inc.,

Applicant

Opposition No. 91192997  
Serial No. 77/566527

**STIPULATED MOTION FOR SUSPENSION**

Pursuant to 37 C.F.R. § 2.117, Scholastic Inc. (“Applicant”) hereby moves for an order suspending the opposition in the above-captioned proceeding by thirty (30) days from the Board’s order dated January 22, 2010 and resetting the trial schedule accordingly, as the parties are actively engaged in settlement discussions.

This motion is submitted in good faith, and is not submitted for reasons of delay. Opposer, Zink Imaging, Inc., by its counsel Neal Gerber & Eisenberg LLP, consented to this motion for extension of time on March 11, 2010 with Applicant’s counsel, Frankfurt Kurnit Klein & Selz PC.

It is respectfully requested that the opposition be suspended and the dates be reset as follows:

|                                      |                    |
|--------------------------------------|--------------------|
| Deadline for Discovery Conference    | April 23, 2010     |
| Discovery Opens                      | April 23, 2010     |
| Initial Disclosures Due              | May 23, 2010       |
| Expert Disclosures Due               | September 20, 2010 |
| Discovery Closes                     | October 20, 2010   |
| Plaintiff’s Pretrial Disclosures     | December 4, 2010   |
| Plaintiff’s 30-day Trial Period Ends | January 18, 2011   |
| Defendant’s Pretrial Disclosures     | February 2, 2011   |
| Defendant’s 30-day Trial Period Ends | March 19, 2011     |

|   |               |
|---|---------------|
| Plaintiff's Rebuttal Disclosures        | April 3, 2011 |
| Plaintiff's 15-day Rebuttal Period Ends | May 3, 2011   |

This motion is being submitted electronically.

Dated: New York, New York  
March 12, 2010

FRANKFURT KURNIT KLEIN & SELZ PC

By: /Cameron A. Myler/

Edward H. Rosenthal, Esq.  
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Attorneys for Applicant, Scholastic Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of March, 2010, I caused a copy of the foregoing STIPULATED MOTION FOR SUSPENSION to be served, by the means indicated below, upon:

**VIA FIRST CLASS MAIL**

Lee J. Eulgen, Esq.  
Neal Gerber & Eisenberg LLP  
Two North LaSalle St., Suite 1700  
Chicago, IL 60602

Attorneys for Opposer, Zink Imaging, Inc.

  
Matthew Bart