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Filing date: **01/22/2009**

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

Proceeding	92049607
Party	Defendant Corning Incorporated
Correspondence Address	Michael F. Orman Nixon Peabody LLP 1100 Clinton Square Rochester, NY 14604 UNITED STATES nytm@nixonpeabody.com
Submission	Stipulated/Consent Motion to Extend
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Date	01/22/2009
Attachments	FIRM_DM-#12361213-v1-consented-to_motion_to_suspend_proceedings.pdf ( 3 pages )(6996 bytes )

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

In re U.S. Registration No. 3,154,788  
Registered: October 10, 2006  
Mark: EAGLE<sup>2000</sup>  
By: Corning Inc.

EUROPTec USA, INC.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Cancellation No. 92049607
	:	
CORNING INC.,	:	
	:	
Respondent	:	
	:	

**CONSENTED-TO MOTION TO SUSPEND PROCEEDINGS**

U.S. Patent and Trademark  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Dear Sir or Madam:

Respondent, with the consent of Petitioner, hereby respectfully moves the Board to suspend the above-captioned cancellation proceeding ninety (90) days pending conclusion of settlement negotiations concerning the mark subject of these proceedings. The suspension is subject to the right of either party to request resumption.

Additional time is needed for Respondent to execute a proposed settlement agreement. The parties wish to avoid the time constraints of and associated expenses with discovery deadlines while attending to execution of the settlement agreement. Accordingly, it is believed that this request is not being made for purposes of delay.

Petitioner's counsel, Robert H. Cameron of Robinson, Bradshaw & Hinson, P.A., consented to this motion in a telephone conference with the undersigned counsel on January 22, 2009. Respondent therefore requests favorable action on this motion and that, should proceedings resume or this motion be denied, that the deadline for initial disclosures be reset at least fifteen (15) days from the date of the Board's order and that the remaining trial dates in this proceeding be reset for at least ninety (90) days from the date of the Board's order.

This 22<sup>nd</sup> day of January, 2009.

Respectfully submitted,

Nixon Peabody LLP

By: Mark D. Robins /s/  
Mark D. Robins  
Attorney for Respondent

100 Summer Street  
Boston, MA 02110  
(617) 345-6176

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Consented-to Motion to Suspend Proceedings has been served upon each of the parties to this action by depositing same in the United States mail, postage prepaid, in an envelope(s) addressed as follows:

Robert H. Cameron, Esq.  
Robinson, Bradshaw & Hinson, P.A.  
101 N. Tryon Street  
Suite 1900  
Charlotte, NC 28246

This 22<sup>nd</sup> day of January, 2009.

Mark D. Robins /s/  
Mark D. Robins