

**TRADEMARK**

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

In the Matter of: Application Serial No. 75/682,226

Published in the *Official Gazette* on July 11, 2000

HSS HIRE SERVICE GROUP PLC,	)
	)
Opposer,	)
	)
v.	)
	)
THE HOME SERVICE STORE, INC.	)
	)
Applicant.	)

<b>CERTIFICATE OF MAILING (37 C.F.R. 1.8a)</b>
I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Trademarks, Box TTAB – NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.
<i>Lawrence H. Meier</i> 9/4/02
Lawrence H. Meier      Date

Box TTAB – NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Opposition No.: 124,556

Date: September 4, 2002

**MOTION FOR SUSPENSION OF PROCEEDINGS AND SETTING OF DISCOVERY, TESTIMONY AND BRIEFING SCHEDULES, MADE ON STIPULATION OF PARTIES**

The Home Service Store, Inc. (“Applicant”), by and through its attorneys, and with the agreement and assent of HSS Hire Service Group PLC (“Opposer”), hereby moves that the Trademark Trial and Appeal Board (“TTAB”) suspend for six (6) months all discovery and testimony related to: (1) the opposition proceeding commenced by Opposer, with respect to Application Serial No. 75/682,226; and (2) the cancellation proceedings commenced by Applicant, with respect to Registration Nos. 2,072,559 and 2,368,208 (collectively, the “Proceedings”). In addition, Applicant hereby moves, with the agreement and assent of Opposer, that the TTAB set appropriate new discovery, testimony and briefing schedules for the

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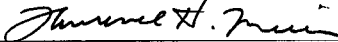
Proceedings, at the end of the suspension, should the disputes between the parties not be resolved by that time.

Applicant submits that its motions should be granted by the TTAB because Applicant is considering changes to its branding strategies that may end the disputes between the parties. If the disputes are not resolved, Applicant and Opposer can resume the Proceedings once the suspension has ended, in accordance with revised discovery, testimony, and briefing deadlines.

Opposer's attorney, Katheryn Jarvis Coggon, consented to the submission of these motions and the relief requested herein by email on September 3, 2002. A copy of the email from Ms. Jarvis Coggon is attached hereto as **Exhibit A**.

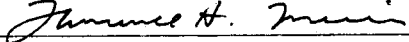
Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC  
Attorneys for Applicant

By:   
Lawrence H. Meier

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing MOTION FOR SUSPENSION OF PROCEEDINGS AND SETTING OF DISCOVERY, TESTIMONY AND BRIEFING SCHEDULES, MADE ON STIPULATION OF PARTIES, has been sent via First Class Mail, postage-paid this 4<sup>th</sup> day of September, 2002, to Katheryn Jarvis Coggon, Esq., Holme Roberts & Owen LLP, 1700 Lincoln Street, Suite 41009, Denver, CO 80203, Attorneys for Opposer.

  
Lawrence H. Meier

BTV/222796.2

EXHIBIT A

**Frank Fontana**

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**From:** Frank Fontana  
**Sent:** Tuesday, September 03, 2002 12:14 PM  
**To:** 'KATHERYN JARVIS COGGON'  
**Subject:** RE: Suspension of Proceedings before PTO

Thank you.

Frank V. Fontana  
Downs Rachlin Martin PLLC  
199 Main Street  
Burlington, Vermont 05402  
Phone: (802) 863-2375  
Fax: (802) 862-7512  
Email: ffontana@drm.com

-----Original Message-----

**From:** KATHERYN JARVIS COGGON [mailto:COGGONK@HRO.COM]  
**Sent:** Tuesday, September 03, 2002 12:17 PM  
**To:** ffontana@drm.com  
**Subject:** Suspension of Proceedings before PTO

HSS RentX agrees to the motion for six month suspension of proceedings proposed by The Home Service Store, Inc. before the Trademark Trial and Appeal Board in the matter of Application Serial No. 75/682,226.

Katheryn Jarvis Coggon  
Holme Roberts & Owen LLP  
1700 Lincoln Suite 4100  
Denver, Colorado 80202  
303.866.0408 (direct)  
303.866.0200 (fax)  
coggonk@hro.com

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TTAB

09-06-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #26

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02 SEP 11 PM 5:14

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Opposition No.: 124,556

Date: September 4, 2002

**MOTION FOR SUSPENSION OF PROCEEDINGS TRANSMITTAL**

1. Enclosed is a Motion for Suspension of Proceedings and Setting of Discovery, Testimony and Briefing Schedules, Made on Stipulation of Parties.
2. Please charge any additional fees or credit any overpayment to Deposit Account No. 04-1588. A copy of this sheet is enclosed.

Respectfully submitted,  
  
DOWNS RACHLIN MARTIN PLLC  
  
By: Lawrence H. Meier  
Lawrence H. Meier

BTV/224053.1

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