

ESTTA Tracking number: **ESTTA255838**

Filing date: **12/18/2008**

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

Proceeding	91183717
Party	Defendant EIGHTY-EIGHT, LLC
Correspondence Address	NICHELLE NICHOLAS LEVY ROBINSON BRADSHAW & HINSON SUITE 1900 , 101 NORTH TRYON STREET CHARLOTTE, NC 28246 UNITED STATES NLEVY@RBH.COM
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Robert H. Cameron
Filer's e-mail	rcameron@rbh.com
Signature	/robert h cameron/
Date	12/18/2008
Attachments	Eighty Eight LLC Consented to Motion to Further Suspend Proceedings.pdf ( 3 pages )(59557 bytes )

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

88 Tees Hawaii, Inc.	)	
	)	
Opposer,	)	
	)	Opposition Nos. 91183717, 91183722
v.	)	
	)	Serial Nos. 78/830,746, 78/830,750
Eighty-Eight, LLC,	)	Marks: 88, 88 (Stylized)
	)	
Applicant.	)	

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**CONSENTED-TO MOTION TO FURTHER SUSPEND PROCEEDINGS**

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

Dear Sir or Madam:

Applicant, with the consent of Opposer, hereby respectfully moves the Board to further suspend the above-captioned opposition proceedings sixty (60) days pending conclusion of settlement negotiations concerning the marks subject of these proceedings. The suspension is subject to the right of either party to request resumption.

The parties have recently conferred following the exchange of drafts of a settlement agreement, and additional time is needed to finalize the terms of said agreement. The parties wish to avoid the time constraints of and associated expenses with discovery deadlines while finalizing terms of settlement. Accordingly, it is believed that this request is not being made for purposes of delay.

Opposer's counsel, Colin O. Miwa, consented to this motion in a telephone conference on December 9, 2008. Applicant 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 these Oppositions be reset for at least ninety (90) days from the date of the Board's order.

This 18<sup>th</sup> day of December, 2008.

Respectfully submitted,

Robinson, Bradshaw & Hinson, P.A.

By: Robert H. Cameron  
Stokely G. Caldwell  
Robert H. Cameron  
Attorneys for Applicant

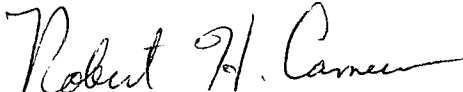
101 N. Tryon Street  
Suite 1900  
Charlotte, NC 28246  
(704) 377-2536

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **CONSENTED-TO MOTION TO FURTHER 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:

Martin E. Hsia, Esq.  
Colin O. Miwa, Esq.  
Attorneys for Opposer  
1000 Bishop Street  
12<sup>th</sup> Floor  
Honolulu, Hawaii 96813

This 18<sup>th</sup> day of December, 2008.

  
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Robert H. Cameron