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Filing date: **05/04/2009**

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

Proceeding	91183722
Party	Defendant Eighty-Eight, LLC
Correspondence Address	NICHELLE NICHOLAS LEVY ROBINSON BRADSHAW & HINSON 101 NORTH TRYON STREET, Ste 1900 CHARLOTTE, NC 28246 UNITED STATES rcameron@rbh.com
Submission	Other Motions/Papers
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Date	05/04/2009
Attachments	5.04.09 Consented Motion to Further Suspend Proceedings.pdf ( 3 pages ) (75824 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 opposition proceedings six months pending motions to amend the trademark applications subject of these proceedings. The suspension is subject to the right of either party to request resumption.

Applicant filed motions to amend the trademark applications on April 30, 2009 pursuant to a settlement agreement executed by the parties on April 17, 2009. The parties continue to wish to avoid the time constraints of and associated expenses with discovery deadlines. 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 an email correspondence received by undersigned counsel on April 29, 2009. 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 4<sup>th</sup> day of May, 2009.

Respectfully submitted,

Robinson, Bradshaw & Hinson, P.A.

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

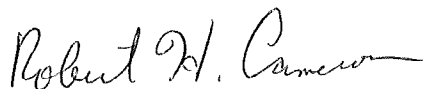
101 N. Tryon Street  
Suite 1900  
Charlotte, NC 28246  
(704) 377-2536

**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 4<sup>th</sup> day of May, 2009.



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Robert H. Cameron