

ESTTA Tracking number: **ESTTA245634**

Filing date: **10/29/2008**

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	Motion to Suspend for Settlement Discussions
Filer's Name	Robert H. Cameron
Filer's e-mail	rcameron@rbh.com
Signature	/robert h cameron/
Date	10/29/2008
Attachments	88 Motion to Further Suspend.pdf (3 pages)(61366 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.)	

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 exchanged drafts of a settlement agreement, and additional time is needed for Opposer to respond to a communication from Applicant. 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 an email correspondence received by undersigned counsel on October 28, 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 29th day of October, 2008.

Respectfully submitted,

Robinson, Bradshaw & Hinson, P.A.

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

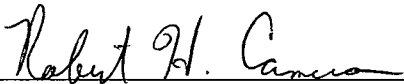
101 N. Tryon Street
Suite 1900
Charlotte, NC 28246
(704) 377-2536

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
12th Floor
Honolulu, Hawaii 96813

This 29th day of October, 2008.



Robert H. Cameron