

ESTTA Tracking number: **ESTTA481247**

Filing date: **07/02/2012**

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

Proceeding	91187203
Party	Plaintiff Coyotes Newco, LLC
Correspondence Address	THOMAS H PROCHNOW NHL ENTERPRISES LP 1185 AVENUE OF THE AMERICAS, 15TH FLOOR NEW YORK, NY 10036 UNITED STATES tprochnow@nhl.com, klynch@nhl.com; anunez@nhl.com, vfaraci@nhl.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Thomas H. Prochnow
Filer's e-mail	tprochnow@nhl.com, klynch@nhl.com, anunez@nhl.com, vfaraci@nhl.com
Signature	/Thomas H. Prochnow/
Date	07/02/2012
Attachments	whiteout motion 07-02-12.pdf ( 4 pages )(52462 bytes )

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

In the matter of trademark application Serial No. 77/211,461  
Published in the Official Gazette on September 23, 2008

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COYOTES NEWCO, LLC	:	
	:	
Opposer,	:	Opposition No. 91187203
	:	
v.	:	
	:	
THE PENNSYLVANIA STATE UNIVERSITY	:	
	:	
Applicant.	:	

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**STIPULATED MOTION TO SUSPEND**

By and through its attorneys, Opposer, COYOTES NEWCO, LLC, with the express consent of Applicant, requests that this proceeding be suspended for 90 days to allow the parties to continue their active settlement negotiations and that the trial schedule be reset accordingly. This motion is submitted in good faith and is not submitted for reasons of delay.

In the Board's most recent order suspending this matter, dated April 16, 2012, the Board stated, "The parties are reminded that there is a continuing obligation to provide progress reports for any further extension or suspension requests that are based on settlement negotiations."

Today, Applicant's attorney reported to Opposer's attorney that he has completed his review of the draft coexistence/settlement agreement, and he believes that the parties have finally reached an agreement in principle. Applicant's attorney is currently discussing a few minor proposed changes with his client, after which he will be sharing with Opposer's attorney what both sides hope will be the final version of the coexistence/settlement agreement. For these reasons, Opposer respectfully submits that there is good cause for an extension pursuant to Rule 510.03 of the Trademark Trial and Appeal Board Manual of Procedure.

The parties respectfully request that the proceeding be suspended and the dates reset as follows:

Proceedings resume	October 1, 2012
Initial Disclosures Due	October 31, 2012
Expert Disclosures Due	February 28, 2013
Discovery Closes	March 30, 2013
Plaintiff's Pretrial Disclosures	May 14, 2013
Plaintiff's 30-day Testimony Period Ends	June 28, 2013
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	July 13, 2013
Defendant/Counterclaim Plaintiff's 30-day Testimony Period Ends	August 27, 2013
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures	September 11, 2013
30-day Testimony Period for Defendant in the Counterclaim and Rebuttal Testimony for Plaintiff to close	October 26, 2013
Counterclaim Plaintiff's Rebuttal Disclosures Due	November 10, 2013
Counterclaim Plaintiff's 15-day Rebuttal Period Ends	December 10, 2013
Brief for Plaintiff Due	February 8, 2014
Brief for Defendant/Counterclaim Plaintiff Due	March 10, 2014
Brief for Counterclaim Defendant And Reply Brief, if any, for Plaintiff Due	April 9, 2014

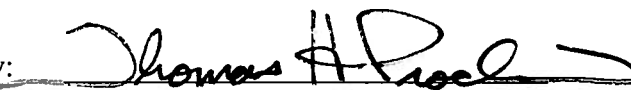
Reply Brief, if any, for Counterclaim  
Plaintiff Due

April 24, 2014

In the event that the Board denies this motion, the parties request an extension of time for both sides to submit their initial disclosures until thirty (30) days after such denial.

Dated: July 2, 2012

Respectfully submitted,

By: 

Thomas H. Prochnow

Kelley A. Lynch

Conal M. Berberich

NHL Enterprises, L.P.

1185 Avenue of the Americas, 15<sup>th</sup> Floor

New York, NY 10036

[tprochnow@nhl.com](mailto:tprochnow@nhl.com)

[klynch@nhl.com](mailto:klynch@nhl.com)

Tel. (212) 789-2000

Fax. (212) 789-2727

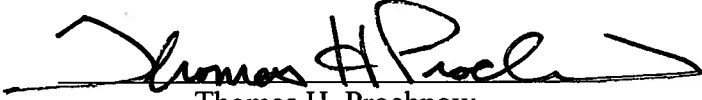
Attorneys for Coyotes Newco, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Stipulated Motion to Suspend has been served upon Applicant on this day, July 2, 2012, by mail addressed to:

ROBERT M. TYLER, ESQ.  
MCGUIRE WOODS LLP  
ONE JAMES CENTER  
901 EAST CARY STREET  
RICHMOND, VA 23219-4030  
rtyler@mcguirewoods.com

Date: July 2, 2012

  
Thomas H. Prochnow