

ESTTA Tracking number: **ESTTA527244**

Filing date: **03/18/2013**

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

Proceeding.	91202762
Applicant	Plaintiff Hero Nutritional Products LLC
Other Party	Defendant HEB Grocery Company, LP

### **Motion for Suspension for Settlement With Consent**

The parties are actively engaged in negotiations for the settlement of this matter. Hero Nutritional Products LLC requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	06/01/2013
Discovery Closes :	07/01/2013
Plaintiff's Pretrial Disclosures :	08/15/2013
Plaintiff's 30-day Trial Period Ends :	09/29/2013
Defendant's Pretrial Disclosures :	10/14/2013
Defendant's 30-day Trial Period Ends :	11/28/2013
Plaintiff's Rebuttal Disclosures :	12/13/2013
Plaintiff's 15-day Rebuttal Period Ends :	01/12/2014

Hero Nutritional Products LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Hero Nutritional Products LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
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03/18/2013