

ESTTA Tracking number: **ESTTA1113585**

Filing date: **02/10/2021**

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

Proceeding	91252910
Party	Defendant Avalanche IP LLC
Correspondence Address	LAURA B. SIEGAL 39 CHESTNUT ROAD MANHASSET, NY 11030 UNITED STATES Primary Email: legalsiegal@aol.com 516-869-6422
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Laura B. Siegal
Filer's email	legalsiegal@aol.com
Signature	/Laura B. Siegal/
Date	02/10/2021
Attachments	Avalanche - Susp. Req. (2.10.21 - 91252910).pdf(40420 bytes)

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

In the Matter of Trademark Application Serial No. 88/336232
Published in the Official Gazette on June 18, 2019

COLORADO AVALANCHE, LLC,	:	
	:	
Opposer,	:	Opposition No. 91252910
	:	
v.	:	
	:	
	:	
AVALANCHE IP LLC,	:	
	:	
Applicant.	:	

MOTION ON CONSENT TO SUSPEND PROCEEDINGS

Applicant, by and through its attorneys, and with Opposer's consent, hereby moves for an order suspending the proceedings in this matter for a period of sixty (60) days to allow the parties to continue their pending settlement negotiations. Under the requested schedule, Applicant's Answer in this matter currently is due by February 19, 2021.

The parties have been negotiating a comprehensive settlement agreement that would resolve this opposition, together with related proceedings between the parties involving additional trademark applications filed by Applicant in the United States. Good cause exists to grant this consented motion, and any delay was not because of neglect, but rather resulted because Applicant's new owners replaced their counsel in this matter with new counsel during the proceedings and, subsequently, both parties' regular business operations were suddenly disrupted by the COVID-19 pandemic, including office closures.

Despite these challenges, active settlement negotiations are still underway and moving forward. Counsel for the parties have exchanged several rounds of communication (including via teleconference and email) regarding settlement. The parties and their respective counsel have been actively reviewing and exchanging comments on a draft settlement agreement that would resolve this and other related trademark oppositions between the parties. Currently, the most recent version of the draft settlement agreement is under review by Applicant and Applicant's counsel. The requested suspension will allow the parties to continue negotiating a comprehensive settlement agreement that would fully and amicably resolve this matter.

In view of the foregoing, Applicant, with Opposer's consent, respectfully requests that the Board grant the requested suspension and reset the deadlines in this proceeding.

Dated: February 10, 2021

Respectfully submitted,

By: *Laura B. Siegal*
Laura B. Siegal
Attorney for Applicant
39 Chestnut Road
Manhasset, New York 11030
T: 516-869-6422
F: 516-869-0991
E: legalsiegal@aol.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion on Consent to Suspend Proceedings has been served upon Opposer on February 10, 2021 by email to:

Jia Wang, Esq.
NHL Enterprises, L.P.
1185 Avenue of the Americas
New York, New York 10036
E: jwang@nhl.com

Laura B. Siegal

Laura B. Siegal