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Filing date: **08/25/2008**

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

Proceeding	92049506
Party	Plaintiff Hercules Brand Corporation
Correspondence Address	Peter A. Sullivan Hughes Hubbard & Reed LLP One Battery Park Plaza New York, NY 10004 UNITED STATES reed@hugheshubbard.com, sullivan@hugheshubbard.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Natasha N. Reed
Filer's e-mail	reed@hugheshubbard.com
Signature	/Natasha N. Reed/
Date	08/25/2008
Attachments	Motion To Suspend.PDF ( 3 pages )(63526 bytes )

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

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Hercules Brand Corporation,	:	Cancellation No.: 92049506
	:	
Petitioner,	:	Registration No. 3,321,592
	:	
-v-	:	Registration Date: October 23, 2007
	:	
Herculinks Corporation,	:	Trademark: HERCULES SPORTING
	:	
Respondent.	:	GOODS
	:	
	:	
	:	
	:	
	:	
-----	x	

**CONSENTED MOTION TO SUSPEND FOR SETTLEMENT**

Pursuant to 37 C.F.R. § 2.117(c), Petitioner Hercules Brand Corporation, with the consent of Respondent Herculinks Corporation, hereby requests that the Board suspend these proceedings and all deadlines herein for a period of sixty (60) days, on the ground that the parties are in the process of settling this matter. Based on the foregoing, the parties request that the deadlines in this proceeding be set as follows:

Deadline for Discovery Conference	10/24/2008
Discovery Opens	10/24/2008
Initial Disclosures Due	11/24/2008
Expert Disclosures Due	3/24/2009
Discovery Period to Close	04/23/2009
Plaintiff Pretrial Disclosures	06/07/2009

Plaintiff's 30-day Trial Period Ends	07/22/2009
Defendant's Pretrial Disclosures	08/06/2009
Defendant's 30-day Trial Period ends	09/20/2009
Plaintiff's Rebuttal Disclosures	10/05/2009
Plaintiff's 15-day Rebuttal Period Ends	11/04/2009

This motion is made in good faith and not for the purpose of delay. Marcus Rogan, president of Herculinks Corporation, consented to this motion by e-mail dated August 25, 2008.

Dated: New York, New York  
August 25, 2008

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By: *Natasha Reed*  
Peter A. Sullivan  
Natasha N. Reed  
Attorneys for Petitioner Hercules Brands,  
Corporation

Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York, New York 10004  
(212) 837-6000

CERTIFICATE OF SERVICE

I hereby certify that I am over the age of 18 years, not a party to this action, and that on the 25<sup>th</sup> day of August 2008, I caused to be served a true and correct copy of the foregoing CONSENTED MOTION TO SUSPEND FOR SETTLEMENT by first-class mail to the Registrant as follows:

Mr. Marcus Rogan  
Herculinks Corporation  
P.O. BOX 5894  
Colorado Springs, CO 80931

I certify under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
August 25, 2008

By: /Claudia Salzberg/  
Claudia Salzberg