

ESTTA Tracking number: **ESTTA519569**

Filing date: **02/04/2013**

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

Proceeding	92056442
Party	Plaintiff Essential Brands, Inc.
Correspondence Address	DAVID L MAY NIXON PEABODY LLP 401 NINTH STREET NW, SUITE 900 WASHINGTON, DC 20004-2128 UNITED STATES nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com, dmay@nixonpeabody.com, jmolino@nixonpeabody.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Jeffrey S. Molinoff
Filer's e-mail	nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com, dmay@nixonpeabody.com, rweikert@nixonpeabody.com, jmolino@nixonpeabody.com
Signature	/JSM/
Date	02/04/2013
Attachments	FIRM_DM-#14316512-v1-Consent_Motion_to_Suspend_(KIDDIE_KOLLEGE).pdf ( 3 pages )(8843 bytes )

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

In re Registration No. 3,341,061  
Date of Registration: November 20, 2007  
Mark: KIDDIE KOLLEGE

---

ESSENTIAL BRANDS, INC.,	)	
	)	
Petitioner,	)	
v.	)	Cancellation No. 92056442
	)	
AUNTIES BAMBINO CORPORATION	)	
	)	
Respondent.	)	

---

**CONSENT MOTION TO SUSPEND FOR SETTLEMENT DISCUSSIONS**

Petitioner, Essential Brands, Inc., with the consent of Respondent, Aunties Bambino Corporation, hereby moves the Board to suspend proceedings for sixty days. The parties are currently actively engaged in settlement discussions and have stipulated to a sixty-day suspension of these proceedings to continue these discussions. As the purpose of this suspension is to facilitate good faith settlement negotiations, this request is not filed for the purpose of improper delay.

If this Motion is granted, the revised discovery and trial schedule would be as follows:

Initial Disclosures Due	04/23/2013
Expert Disclosures Due	08/21/2013
Discovery Closes	09/20/2013
Plaintiff's Pretrial Disclosures	11/4/2013
Plaintiff's 30-day Trial Period Ends	12/19/2013
Defendant's Pretrial Disclosures	01/3/2014
Defendant's 30-day Trial Period Ends	02/17/2014
Plaintiff's Rebuttal Disclosures	03/4/2014
Plaintiff's 15-day Rebuttal Period Ends	04/3/2014

Counsel for Applicant consented to this request for suspension of proceedings in an e-mail dated February 3, 2013.

Dated: February 4, 2013, 2012

Respectfully submitted,  
NIXON PEABODY LLP

by:           /JSM/          

David L. May  
Robert Weikert  
Jeffrey S. Molinoff

401 9<sup>th</sup> Street, N.W., Suite 900  
Washington, D.C. 20004-2128  
202-585-8000 (Phone)  
202-585-8080 (Facsimile)

was.managing.clerk@uspto.gov  
nptm@nixonpeabody.com  
dmay@nixonpeabody.com  
rweikert@nixonpeabody.com  
jmolinoff@nixonpeabody.com

Counsel for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Consent Motion to Amend was served on February 4, 2013, via e-mail, on:

John Lindsay  
LINDSAY LAW  
11700 PRESTON ROAD, SUITE 660-157  
DALLAS, TX 75230

ipprosecution@startupipservices.com

                  /JSM/                    
Jeffrey S. Molinoff