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

Proceeding	91246073
Party	Defendant Humu, Inc.
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Submission	Motion to Suspend for Civil Action
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Signature	/Diana Rutowski/
Date	02/14/2019
Attachments	TTAB Humu Motion to Suspend 2nd.pdf(12501 bytes) Ex. A ND Cal Compl.pdf(181680 bytes) Ex. B Suspension Ord.pdf(103314 bytes)

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

In the Matter of Application Serial No. 87/433,016
Published in the *Official Gazette* on July 31, 2018
Trademark: HUMU

Hulu LLC, <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> <p style="text-align: center;">Humu, Inc.,</p> <p style="text-align: center;">Applicant.</p>	Opposition No.: 91246073
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**MOTION TO SUSPEND PROCEEDING PENDING DETERMINATION OF CIVIL
ACTION PURSUANT TO TRADEMARK RULE 2.117(a)**

On January 18, 2019, Applicant, Humu, Inc. (“Applicant”), filed a civil action against Hulu LLC (“Opposer”) in the Northern District of California seeking declaratory judgment that, *inter alia*, Applicant’s HUMU mark does not lead to a likelihood of confusion or dilution with respect to Opposer’s HULU mark. As such, the civil action involves issues which are central to this proceeding. Applicant hereby attaches a true and correct copy of the Complaint in *Humu, Inc. v Hulu LLC*, Civil Action No. 3:19-cv-00327, as Exhibit A.

In a related and earlier-filed proceeding (Opposition No. 91239962 involving Serial Nos. 87/433,012; 87/433,020; and 87/433,022), which involves the same Opposer, the same marks, and common questions of law and fact, the Board granted Applicant’s motion to suspend based on the same civil action on February 13, 2019. Applicant respectfully submits that these

proceedings should be consolidated. T.M.B.P. § 511 (“the Board may, in its discretion, order cases consolidated prior to joinder of issue”). A true and correct copy of the February 13, 2019 decision is attached hereto as Exhibit B.

Pursuant to 37 C.F.R. § 2.117(c) and T.M.B.P. § 510.03(a), Applicant accordingly hereby requests suspension of this proceeding pending determination of the civil action.

Dated: February 14, 2019

By: /s/ Diana Rutowski
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Attorneys for Humu, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **MOTION TO SUSPEND PROCEEDING PENDING CIVIL ACTION** is being served upon counsel for Opposer by electronic mail on February 14, 2019 at the email address indicated below:

tmango@cantorcolburn.com
vricci@cantorcolburn.com

By: /Carrie Rose/
Carrie Rose

EXHIBIT A

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