

ESTTA Tracking number: **ESTTA90751**

Filing date: **07/19/2006**

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

Proceeding.	91164121
Applicant	Plaintiff Mars, Incorporated
Other Party	Defendant ProMark Brands Inc.

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

The parties are actively engaged in negotiations for the settlement of this matter. Mars, Incorporated requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 09/18/2006

Discovery Period to Close : 01/16/2007

Thirty-day testimony period for party in position of  
plaintiff to close : 04/16/2007

Thirty-day testimony period for party in position of  
defendant to close : 06/15/2007

Fifteen-day rebuttal testimony period to close : 07/30/2007

Mars, Incorporated has secured the express consent of all other parties to this proceeding for the suspension requested herein.

Mars, Incorporated 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 First Class Mail on this date.

Respectfully submitted,

/tjk/

Timothy J. Kelly

tkelly@fchs.com, dnguy@fchs.com, epagan@fchs.com

GMitrione@LathropGage.com

07/19/2006