

ESTTA Tracking number: **ESTTA292821**

Filing date: **07/01/2009**

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

Proceeding.	91176920
Applicant	Plaintiff Durance
Other Party	Defendant Apex Energetics

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Durance requests that this proceeding be suspended for 180 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 12/29/2009
Discovery Period to Close : 04/28/2010
Thirty-day testimony period for party in position of
plaintiff to close : 07/27/2010
Thirty-day testimony period for party in position of
defendant to close : 09/25/2010
Fifteen-day rebuttal testimony period to close : 11/09/2010

Durance has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Durance 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,
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