

ESTTA Tracking number: **ESTTA209468**

Filing date: **05/06/2008**

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

Proceeding.	91178970
Applicant	Defendant Perdue Holdings, Inc.
Other Party	Plaintiff KELLOGG NORTH AMERICA COMPANY

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

The parties are actively engaged in negotiations for the settlement of this matter. Perdue Holdings, Inc. requests that this proceeding be suspended for 90 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 08/05/2008

Discovery Period to Close : 12/03/2008

Thirty-day testimony period for party in position of plaintiff to close : 03/03/2009

Thirty-day testimony period for party in position of defendant to close : 05/02/2009

Fifteen-day rebuttal testimony period to close : 06/16/2009

Perdue Holdings, Inc. has secured the express consent of all other parties to this proceeding for the suspension requested herein.

Perdue Holdings, Inc. 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,

/Jacqueline Levasseur Patt/

Jacqueline Levasseur Patt

jl patt@venable.com, trademarkdocket@venable.com, tmc Carroll@venable.com

david.herdman@kellogg.com, patricia.conor@kellogg.com

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