

ESTTA Tracking number: **ESTTA292203**

Filing date: **06/29/2009**

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

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|-------------|------------------------------|
| Proceeding. | 91179090 |
| Applicant | Defendant SIMPLYWELL, LLC |
| Other Party | Plaintiff Elgo, Inc. |

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. SIMPLYWELL, LLC requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 07/30/2009

Discovery Period to Close : CLOSED

Thirty-day testimony period for party in position of
plaintiff to close : CLOSED

Thirty-day testimony period for party in position of
defendant to close : 09/28/2009

Fifteen-day rebuttal testimony period to close : 11/12/2009

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

SIMPLYWELL, LLC 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,
/Christopher M. Bikus/
Christopher M. Bikus
chris.bikus@huschblackwell.com,pto-om@huschblackwell.com
moore@moorepatents.com
06/29/2009