

ESTTA Tracking number: **ESTTA303798**

Filing date: **08/31/2009**

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

Proceeding	91188120
Party	Defendant PURE Bioscience
Correspondence Address	Jennifer Lee Taylor Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482 UNITED STATES jtaylor@mofo.com, mmcdaniel@mofo.com
Submission	Motion to Suspend for Settlement Discussions
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Date	08/31/2009
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DRUGTECH CORPORATION

Opposer,

v.

PURE BIOSCIENCE

Applicant.

Opposition No. 91188120

Serial No. 77/498,929

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22313-1451

**MOTION TO SUSPEND OPPOSITION FOR SETTLEMENT NEGOTIATIONS FOR  
THIRTY DAYS (WITH CONSENT)**

Pursuant to TBMP Rule 510.03(a), Applicant PURE Bioscience, through its undersigned attorney, hereby moves to suspend the instant opposition proceedings for thirty (30) days as of the filing date of this motion. The parties are actively engaged in settlement discussions and this motion is made with the express consent of Opposer's counsel. This suspension will result in the following trial schedule:

Initial Disclosures Due: 9/27/2009

Expert Disclosures Due: 1/26/2010

Discovery Closes: 2/25/2010

Plaintiff's Pretrial Disclosures: 4/11/2010

Plaintiff's 30-day Trial Period Ends: 5/26/2010

Defendant's Pretrial Disclosures: 6/10/2010

Defendant's 30-day Trial Period Ends: 7/25/2010

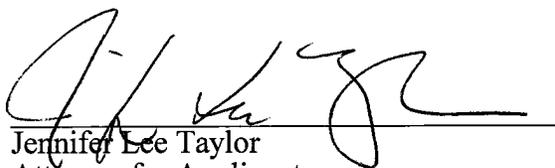
Plaintiff's Rebuttal Disclosures: 8/9/2010

Plaintiff's 15-day Rebuttal Period Ends: 9/8/2010

This suspension was agreed to by Opposer's counsel on or about August 28, 2009. This suspension is necessary and supported by good cause, as the parties need the additional time to discuss potential settlement.

Respectfully submitted,

Dated: August 28, 2009

By:   
Jennifer Lee Taylor  
Attorney for Applicant  
PURE Bioscience

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IT IS SO ORDERED:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Trademark Trial & Appeal Board