

ESTTA Tracking number: **ESTTA335595**

Filing date: **03/04/2010**

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

Proceeding	91191712
Party	Plaintiff KELLOGG NORTH AMERICA COMPANY
Correspondence Address	Lisabeth H. Coakley Harness, Dickey & Pierce, P.L.C. 5445 Corporate Drive, Suite 200 Troy, MI 48098 UNITED STATES coakley@hdp.com, tjcomparoni@hdp.com
Submission	Motion to Suspend for Settlement Discussions
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Date	03/04/2010
Attachments	91191712 TONY 030410 262.pdf (2 pages)(53696 bytes)

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

Kellogg North America Company)
Opposer,)
v.)
Tainan Enterprises Co., Ltd.)
Applicant.)

Opposition No. 91191712
Serial No. 77/454574
Mark: TONY

CONSENTED MOTION TO SUSPEND PROCEEDINGS

Opposer, Kellogg North America Company, respectfully requests these proceedings be suspended for a period of sixty (60) days in order to allow the parties additional time to pursue settlement in this matter subject to the right of either party to request resumption at any time. M. Scott Alprin, counsel for applicant, has consented to this Motion to Suspend.

Since this request is made for good cause and not made for purposes of delay, and since the initial discovery conference has previously been conducted, it is respectfully requested that proceedings be suspended and discovery and trial dates be reset as indicated below:

Proceedings Resume	05/03/10
Discovery Opens	06/02/10
Initial Disclosures Due	07/02/10
Expert Disclosures Due.....	10/30/10
Discovery Closes	11/29/10
Plaintiff's Pretrial Disclosures	01/13/11
Plaintiff's 30-Day Trial Period Ends	02/27/11
Defendant's Pretrial Disclosures.....	03/14/11

Defendant's 30-Day Trial Period Ends..... 04/28/11

Plaintiff's Rebuttal Disclosures 05/13/11

Plaintiff's 15-Day Rebuttal Period Ends..... 06/12/11

Respectfully submitted,

Date: March 4, 2010

By: Elizabeth Brock

Lisabeth H. Coakley, Esq.

Elizabeth K. Brock, Esq.

Harness, Dickey & Pierce, P.L.C.

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Attorneys for Kellogg North America

Company

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Consented Motion to Suspend Proceedings** has been served, by agreement, via e-mail address to trademarks@alprinlaw.com and salprin@rabinberdo.com on March 4, 2010.

Timothy J. Comparon

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