

ESTTA Tracking number: **ESTTA344509**

Filing date: **04/28/2010**

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

Proceeding	91192255
Party	Plaintiff Solarwinds Worldwide, LLC
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Submission	Motion to Suspend for Settlement Discussions
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Signature	/Alisa C. Key/
Date	04/28/2010
Attachments	Additional Motion to Suspend ORION Opposition.pdf (3 pages)(102058 bytes)

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

SOLARWINDS WORLDWIDE, LLC)
)
) Opposer
)
) v. Opposition No. 91192255
)
RMI CORPORATION)
)
) Applicant.)

MOTION TO SUSPEND PROCEEDINGS WITH CONSENT

Opposer, respectfully moves the Board to suspend proceedings in the above-captioned opposition proceeding for an additional thirty (30) days until May 28, 2010. In support of this motion, Opposer represents to the Board that the parties are engaged in negotiations in an effort to resolve this matter and, if settlement is reached, there will be no need to go forward with this opposition proceeding.

In the event that settlement is not reached during the period of suspension, Petitioner requests that the Board resume the opposition proceedings on April 26, 2010 and reset the deadlines in this proceeding as set forth below:

Initial Disclosures Due	May 28, 2010
Expert Disclosures Due	September 19, 2010
Discovery Closes	October 18, 2010
Plaintiff's Pretrial Disclosures	December 3, 2010

Plaintiff's 30-day Trial Period Ends	January 16, 2011
Defendant's Pretrial Disclosures	February 1, 2011
Defendant's 30-day Trial Period Ends	March 17, 2011
Plaintiff's Rebuttal Disclosures	April 2, 2011
Plaintiff's 15-day Rebuttal Period Ends	May 1, 2011

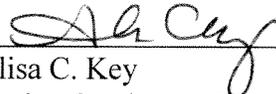
The undersigned counsel for Opposer has discussed this motion with counsel for Applicant who advised that Applicant joins in this request and will not contest the motion.

For the reasons stated above, Opposer submits that the suspension of proceedings is warranted and requests that this motion be granted.

SOLARWINDS WORLDWIDE, LLC

Dated: April 28, 2010

By:



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Certificate of Service

I hereby certify that a true copy of the foregoing Motion to Suspend Proceedings With Consent was served on the following attorney of record for Applicant by first class mail, postage prepaid, this 28th day of April, 2010:

Valerie L. Sarigumba, Esq.
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