

ESTTA Tracking number: **ESTTA757648**

Filing date: **07/11/2016**

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

Proceeding	91212905
Party	Plaintiff EMI (IP) Limited
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Submission	Motion to Suspend for Settlement Discussions
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Signature	/Brent S. LaBarge/
Date	07/11/2016
Attachments	2016-07-11 MUSIC NOW - Motion for 60-day Suspension.pdf(30466 bytes)

counterproposal resolves additional issues, and EMI (IP) Limited will communicate a further counterproposal on behalf of itself and Sony Music Entertainment UK shortly.

In sum, since the last request for suspension, the parties have remained actively engaged in settlement discussions and have exchanged further proposals to that end. Given the scope of the rights at issue, the parties need more time to review and discuss the current proposals and counterproposals in order to continue working toward a potential settlement. As previously stated, the parties have tentatively agreed on several outstanding issues and expect that continued negotiations will result in a final resolution of this dispute.

EMI (IP) Limited has secured the express consent of all other parties to this proceeding for the suspension requested herein.

Dates as Reset:

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosures Due :	CLOSED
Discovery Period to Close :	September 10, 2016
Plaintiff Pretrial Disclosures :	October 25, 2016
Plaintiff's 30-day Trial Period Ends :	December 9, 2016
Defendant's Pretrial Disclosures :	December 24, 2016
Defendant's 30-day Trial Period ends :	February 7, 2017
Plaintiff's Rebuttal Disclosures :	February 22, 2017
Plaintiff's 15-day Rebuttal Period Ends :	March 24, 2017

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion for Suspension for Settlement with Consent has been served by electronically transmitting said copy, with the consent of OCC Establishment, on July 11, 2016, to:

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/s/Brent S. LaBarge/

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