

ESTTA Tracking number: **ESTTA610530**

Filing date: **06/18/2014**

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

Proceeding.	91214312
Applicant	Plaintiff Diageo Brands B.V.
Other Party	Defendant Midway Trading Corp.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Diageo Brands B.V. requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

Time to Answer :	09/08/2014
Deadline for Discovery Conference :	10/08/2014
Discovery Opens :	10/08/2014
Initial Disclosures Due :	11/07/2014
Expert Disclosure Due :	03/07/2015
Discovery Closes :	04/06/2015
Plaintiff's Pretrial Disclosures :	05/21/2015
Plaintiff's 30-day Trial Period Ends :	07/05/2015
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	07/20/2015
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	09/03/2015
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	09/18/2015
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends :	11/02/2015
Counterclaim Plaintiff's Rebuttal Disclosures Due :	11/17/2015
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	12/17/2015
Plaintiff's Trial Brief Due :	02/15/2016
Defendant's Trial Brief and Plaintiff in the Counterclaim Due :	03/16/2016
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	04/15/2016
Reply Brief, if any, for Plaintiff in the Counterclaim Due :	04/30/2016

Diageo Brands B.V. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Diageo Brands B.V. 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Evan Gourvitz/

Evan Gourvitz

evan.gourvitz@diageo.com, jennifer.hamilton@diageo.com, trademarks@diageo.com,

mara.mccooley@diageo.com

renns@ennsandarcher.com

06/18/2014