

ESTTA Tracking number: **ESTTA707176**

Filing date: **11/06/2015**

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

Proceeding	91214312
Party	Defendant Midway Trading Corp.
Correspondence Address	LISA GREENWALD-SWIRE FISH & RICHARDSON PC P O BOX 1022 MINNEAPOLIS, MN 55440-1022 UNITED STATES TrademarkGroup-SV@fr.com, tmdoctc@fr.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Lisa Greenwald-Swire
Filer's e-mail	trademarkgroup-sv@fr.com, tmdoctc@fr.com
Signature	/Lisa Greenwald-Swire/
Date	11/06/2015
Attachments	20151106 motion to suspend (Opp. No. 91214312).pdf(1041050 bytes)

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

In the matter of Trademark Application
Ser. No. 85/834,409 for **TANDUAY**
Filed on January 28, 2013
Published in the *Official Gazette* on July 16, 2013

DIAGEO BRANDS B.V.,

Opposer,

v.

MIDWAY TRADING CORP.,

Applicant.

Opposition No.: 91214312

**STIPULATED CONSENT MOTION
TO SUSPEND**

**STIPULATED CONSENT MOTION TO SUSPEND
FOR SETTLEMENT DISCUSSION FOR 30 DAYS**

Through its undersigned counsel, Applicant Midway Trading Corp. (“Applicant”) respectfully requests that the opposition proceeding be suspended for a period of thirty (30) days in order to allow the parties additional time to pursue settlement in this matter. Sabina A. Vayner, counsel for Opposer, consented to this motion to suspend by e-mail on November 6, 2015.

This request is made for good cause to accommodate ongoing settlement discussions and not made for purposes of delay. It is respectfully requested that the trial dates be reset as follows:

Answer to Amended Notice of Opposition Due.....	12/11/15
Expert Disclosures Due	12/08/15
Discovery Closes	01/08/16
Plaintiff’s Pretrial Disclosures.....	02/22/16

Plaintiff's 30-Day Trial Period Ends04/07/16

Defendant/Counterclaim Plaintiff's Pretrial Disclosures04/22/16

30-Day Trial Period for Defendant and Plaintiff in the Counterclaim06/06/16

Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due06/21/16

30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff...08/05/16

Counterclaim Plaintiff's Rebuttal Disclosures Due.....08/20/16

15-day Rebuttal Period for Counterclaim Plaintiff Ends.....09/19/16

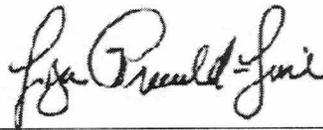
Plaintiff's Trial Brief Due11/18/16

Defendant's Trial Brief and Plaintiff in the Counterclaim Due.....12/17/16

Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due.....01/17/17

Reply Brief, if any, for Plaintiff in the Counterclaim Due02/01/17

Respectfully Submitted,



 Lisa Greenwald-Swire
 FISH & RICHARDSON P.C.
 P.O. Box 1022
 Minneapolis, MN 55440-1022
tmdoctc@fr.com

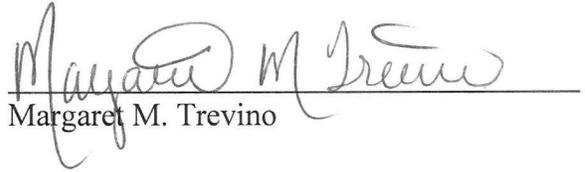
Attorney for APPLICANT
 MIDWAY TRADING CORP.

Date: November 6, 2015

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Consented Motion to Suspend has this 6th day of November, 2015, been e-mailed by agreement to the below-identified Attorney at his/her place of business:

Sabina A. Vayner
svayner@ktslaw.com,


Margaret M. Trevino