

ESTTA Tracking number: **ESTTA658459**

Filing date: **02/27/2015**

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

Proceeding	91217017
Party	Plaintiff Pionetechs, Inc.
Correspondence Address	DANIEL S POLLEY DANIEL S POLLEY PA 7251 WEST PALMETTO PARK ROAD SUITE 202 BOCA RATON, FL 33433 UNITED STATES dan@danpolley.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Daniel S. Polley
Filer's e-mail	dan@danpolley.com
Signature	/Daniel S. Polley/
Date	02/27/2015
Attachments	MotionforSuspension.pdf(10364 bytes )

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

In the Matter Trademark Application Serial No. 85817418  
For the Mark: IWAITLESS  
Filing Date: January 7, 2013

**PIONETECHS, INC.,**

**Opposer,**

vs.

**GO SWIFTLY, LLC, a Minnesota Limited  
Liability Company,**

**Applicant.**

**Opposition No. 91217017.**

**OPPOSER’S MOTION FOR SIX MONTH SUSPENSION**

Opposer, Pionetechs, Inc. (“Opposer”), by and through the undersigned counsel, hereby requests a six month suspension of the above-identified proceeding, to allow the parties to determine if a settlement/coexistence agreement can be entered between the parties in order to amicably resolve the above-identified dispute.

Opposer has discussed the possibility of entering into a coexistence agreement with Applicant’s counsel, and Applicant’s counsel has asked Opposer’s counsel to prepare the agreement for her review.

Opposer’s correspondence to Applicant’s counsel also indicated that Opposer would file a Suspension Motion to allow the parties to discuss settlement. Though Applicant’s counsel asked Opposer’s counsel to proceed with the draft agreement for her review, her correspondence did not specifically mention whether or not she consented to

this Suspension Motion. Thus, Opposer cannot represent that this Suspension request is with consent.

With the requested Suspension, Opposer proposes the following new scheduling order for this proceeding in the event a settlement is not reached:

Discovery Closes : 09/1/2015

Plaintiff's Pretrial Disclosures : 10/15/2015

Plaintiff's 30-day Trial Period Ends : 11/30/2015

Defendant's Pretrial Disclosures : 12/14/2015

Defendant's 30-day Trial Period Ends : 01/29/2016

Plaintiff's Rebuttal Disclosures : 02/13/2016

Plaintiff's 15-day Rebuttal Period Ends : 03/12/2016

Both parties have previously provided the Board with email addresses, and such email addresses are of record, so that any order on this motion may be issued electronically by the Board.

WHEREFORE, Opposer respectfully requests that the Board grant this Motion for Suspension.

Respectfully submitted,

Attorneys for Opposer

/Daniel S. Polley/

Daniel S. Polley, Reg. No. 34,902

DANIEL S. POLLEY, P.A.

7251 West Palmetto Park Road

Suite 202

Boca Raton, Florida 33433

Telephone: (561) 347-5955

Fax: (561) 807-5987

E-mail: dan@danpolley.com

CERTIFICATE OF SERVICE

I hereby certify that on the 27<sup>th</sup> day of February 2015, a true copy of the foregoing OPPOSER'S MOTION FOR SIX MONTH SUSPENSION was served by first class mail to Applicant's counsel:

Abiola Shobola, Esq  
1239 Highland Parkway  
St Paul, Minnesota 55116

Executed on February 27, 2015

/Daniel S. Polley/  
Daniel S. Polley, Reg. No. 34,902