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Filing date: **06/21/2016**

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

Proceeding	91218196
Party	Plaintiff CBS Studios Inc.
Correspondence Address	MALLORY LEVITT CBS STUDIOS INC C/O CBS CORPORATION LAW, 51 WEST 52ND STREET NEW YORK, NY 10019 UNITED STATES mallory.levitt@cbs.com, shirley.ramos@cbs.com, trademarks@cbs.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Mallory Levitt
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Signature	/ml/
Date	06/21/2016
Attachments	theranos.pdf(53921 bytes)

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

In the Matter of
Trademark Application Serial No.: 85/737,220
Filed: September 24, 2012
Published: March 11, 2014
Mark: THERANOS TRICORDER

_____)	
CBS Studios Inc.,)	
)	
)	Opposition No. 91218196
)	
v.)	
)	
Theranos, Inc.,)	
)	
)	
)	
)	
_____)	

STIPULATED MOTION TO SUSPEND OPPOSITION BASED ON PARTIES' CONSENT

On June 15, 2016, the parties conducted their mandatory discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2). Opposer CBS Studios Inc., by and through its attorneys, hereby requests that the Trademark Trial and Appeal Board (the "Board") suspend proceedings in the above-referenced opposition for a period of ninety (90) days to allow parties time to continue on-going settlement negotiations. Applicant stipulated to this request during the discovery conference on June 15, 2016.

The parties request that the Board suspend proceedings for ninety (90) days and reset all subsequent dates accordingly. The reset dates would be as follows:

Initial Disclosures Due	10/13/2016
Expert Disclosures Due	03/02/2017
Discovery Closes	04/01/2017
Plaintiff's Pretrial Disclosures	05/16/2017
Plaintiff's 30-day Trial Period Ends	06/30/2017
Defendant's Pretrial Disclosures	07/15/2017
Defendant's 30-day Trial Period Ends	08/29/2017
Plaintiff's Rebuttal Disclosures	09/13/2017
Plaintiff's 15-day Rebuttal Period Ends	10/13/2017

This request for suspension is for good cause, and the parties respectfully request that the Board grant this motion so the parties can continue settlement discussions.

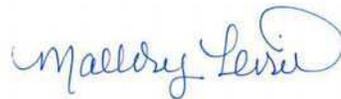
The parties have agreed to the suspension as the parties are working to resolve this matter via settlement. Accordingly, the parties have had verbal settlement discussions. In addition, Opposer has provided a draft agreement to Applicant. Applicant is vetting that proposal internally and expects to be able to respond substantively during the upcoming extension period. Since the parties filed the last Motion on consent, Applicant has retained new counsel and filed its Answer. Applicant needs time to confer with Applicant concerning the settlement proposal. The outstanding issues in this matter relate to Applicant's use and registration of the mark at issue. The parties strongly believe that they will timely resolve any open issues and are jointly committed to reaching an amicable resolution. If the agreement is accepted by both parties, there will be no need to proceed with the Opposition.

Further the parties request that the proceeding be suspended pending disposition of this motion.

Applicant has provided an e-mail address herewith for itself and for Opposer (see attached proof of service) so that the Board may electronically issue any order on this motion.

A Proof of Service by Mail and Email accompanies this Motion.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mallory Levitt". The signature is written in a cursive style with a large, looped initial 'M'.

Dated: June 21, 2016

Mallory Levitt
Counsel for Opposer
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c/o CBS Corporation – Law Dept.
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CERTIFICATE OF SERVICE

I am over the age of eighteen years and not a party to the within cause; my business address is CBS Corporation, 51 W. 52nd Street, New York, NY 10019. On the date indicated below, I served the within STIPULATED MOTION TO SUSPEND OPPOSITION BASED ON CONSENT, on the interested parties in said cause, by placing a true copy thereof as indicated below, addressed as follows:

Margaret A. Esquenet
Finnegan Henderson Farabow Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001
margaret.esquenet@finnegan.com
TTAB-Legal-Assistants@finnegan.com
docketing@finnegan.com

- BY E-MAIL:** by mutual agreement between the parties, causing to be transmitted via e-mail the document(s) listed above to the addressee(s) at the e-mail address(es) listed above.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at New York, NY, this 21st day of June , 2016.

A handwritten signature in blue ink that reads "Mallory Lewis". The signature is written in a cursive style with a large loop at the end of the name.