

ESTTA Tracking number: **ESTTA763953**

Filing date: **08/11/2016**

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

| | |
|------------------------|---|
| Proceeding | 91220127 |
| Party | Plaintiff Equinox Holdings, Inc. |
| Correspondence Address | TRACY L ZAWASKI DLA PIPER LLP US P O BOX 64807 CHICAGO, IL 60664-0807 UNITED STATES ch.tm@dlapiper.com, keith.medansky@dlapiper.com, tracy.zawaski@dlapiper.com |
| Submission | Motion to Suspend for Settlement Discussions |
| Filer's Name | Tracy L. Zawaski |
| Filer's e-mail | tracy.zawaski@dlapiper.com |
| Signature | /TLZ/ |
| Date | 08/11/2016 |
| Attachments | Consent Motion to Suspend.pdf(9534 bytes) |

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

| | |
|--------------------------------|---------------------------|
| EQUINOX HOLDINGS, INC., |) |
| |) |
| Opposer, |) Opposition No. 91220127 |
| |) |
| v. |) Mark: EQUINOX |
| |) |
| RAFFLES INTERNATIONAL LIMITED, |) Serial No.: 77305284 |
| |) |
| Applicant. |) |
| | / |

CONSENT MOTION TO SUSPEND FOR SETTLEMENT

The parties, by and through their undersigned counsel, hereby move to extend and reset the scheduling deadlines in the above-referenced proceedings by 60 days.

The Board is respectfully advised that the parties have resolved all but two issues. Counsel met in person in May 2016 to discuss the resolution, and they have been in telephonic and email communication and have been diligent in attempting to resolve these issues.

Opposer is located in New York, and Opposer's counsel is located in Chicago, whereas Applicant's counsel is located in Dayton; however, Applicant's counsel takes its instructions from counsel in Singapore, who in turn takes instructions from Applicant. As such, negotiations take time, and as noted above, the parties have made substantial progress towards an amicable resolution of this proceed. Pursuant to the above-described discussions, the parties have resolved the dispute but for two (2) terms that remain under negotiation.

Accordingly, the parties respectfully submit that this progress report constitutes good cause, and they hereby request a further suspension of this matter pending finalization, execution, and implementation of the formal settlement agreement.

Subject to approval of this Motion, the new deadlines will be as follows:

Time to Answer: 10/13/2016
Deadline for Discovery Conference: 11/12/2016
Discovery Opens: 11/12/2016
Initial Disclosures Due: 12/12/2016
Expert Disclosure Due: 04/11/2017
Discovery Closes: 05/12/2017
Plaintiff's Pretrial Disclosures: 06/25/2017
Plaintiff's 30-day Trial Period Ends: 08/11/2017
Defendant's Pretrial Disclosures: 08/24/2017
Defendant's 30-day Trial Period Ends: 10/08/2017
Plaintiff's Rebuttal Disclosures: 10/23/2017
Plaintiff's 15-day Rebuttal Period Ends: 11/22/2017

Respectfully submitted,

Date: August 11, 2016

By: /TLZ/
Tracy L. Zawaski
Keith W. Medansky
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CERTIFICATE OF SERVICE

I certify that the foregoing MOTION TO SUSPEND FOR SETTLEMENT WITH CONSENT was served on Applicant, via electronic mail per agreement between the parties, at Trademarks@thompsonhine.com and Ted.Lienesch@thompsonhine.com on August 11, 2016.

By: /TLZ/
Tracy L. Zawaski