

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: October 13, 2015

Opposition No. 91222790

Life Before Us, Inc.

v.

Xedoc Luxembourg S.A.

Veronica P. White, Paralegal Specialist:

Applicant's consented motion (filed September 21, 2015) to suspend proceedings to accommodate the parties settlement negotiations is noted. The Board further notes Applicant has indicated that the parties have not held their discovery conference.

While the Board is liberal in granting extensions of time to accommodate settlement, after an answer has been filed,¹ the Board is unlikely to find good cause for a motion, even upon consent or stipulation, to extend the deadline for the parties to conduct the required discovery conference when the basis for the motion is the existence of settlement discussions. *See* TBMP § 509.01(a); *Boston Red Sox Baseball Club LP v. Chaveriat*, 87 USPQ2d 1767, 1767 n.1 (TTAB 2008) ("It is unlikely the Board will find good cause for a motion to extend or suspend for settlement if the

¹ Applicant's withdrawal dated September 21, 2015, of its August 24, 2015 answer is noted. In accordance with the request, the answer filed August 24, 2015 will receive no further consideration. Accordingly, Applicant's answer filed August 21, 2015 serves as Applicant's operative pleading in this proceeding.

motion is filed after answer but prior to the discovery conference, precisely because the discovery conference itself provides an opportunity to discuss settlement.”).

Inasmuch as the motion to suspend was filed after the answer, but prior to the parties’ discovery conference deadline, the Board does not find good cause to suspend. Accordingly, said motion is denied. The parties are expected to proceed to conduct the required discovery conference without delay. If, after the conference, the parties are interested in an extension of time or suspension of proceedings, the Board will consider such a request upon the filing of a new motion.

If, either of the parties or their attorneys should have a change of address, the Board should be so informed.²

Disclosure, discovery and trial dates remain as previously set in the Board’s order of July 14, 2015.

² Appearance of counsel on behalf of Applicant (filed August 21, 2015) is noted and made of record.