

ESTTA Tracking number: **ESTTA266891**

Filing date: **02/17/2009**

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

Proceeding.	92046637
Applicant	Defendant Living Spaces Furniture, LLC
Other Party	Plaintiff Mattress Firm, Inc.

### **Motion for Suspension for Settlement With Consent**

The parties are actively engaged in negotiations for the settlement of this matter. Living Spaces Furniture, LLC requests that this proceeding be suspended for 90 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 05/19/2009

Discovery Period to Close : CLOSED

Thirty-day testimony period for party in position of plaintiff to close : 07/18/2009

Thirty-day testimony period for party in position of defendant to close : 09/16/2009

Fifteen-day rebuttal testimony period to close : 10/31/2009

Living Spaces Furniture, LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Living Spaces Furniture, LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,  
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02/17/2009