

ESTTA Tracking number: **ESTTA417515**

Filing date: **07/01/2011**

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

Proceeding.	92052684
Applicant	Plaintiff Natural Supplements and Remedies, Inc., d/b/a Vitanergy
Other Party	Defendant NutriScience Corporation

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Natural Supplements and Remedies, Inc., d/b/a Vitanergy requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Time to Answer :	08/01/2011
Deadline for Discovery Conference :	08/31/2011
Discovery Opens :	08/31/2011
Initial Disclosures Due :	09/30/2011
Expert Disclosure Due :	01/28/2012
Discovery Closes :	02/27/2012
Plaintiff's Pretrial Disclosures :	04/12/2012
Plaintiff's 30-day Trial Period Ends :	05/27/2012
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	06/11/2012
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	07/26/2012
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	08/10/2012
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends :	09/24/2012
Counterclaim Plaintiff's Rebuttal Disclosures Due :	10/09/2012
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	11/08/2012
Plaintiff's Trial Brief Due :	01/07/2013
Defendant 's Trial Brief and Plaintiff in the Counterclaim Due :	02/06/2013
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	03/08/2013
Reply Brief, if any, for Plaintiff in the Counterclaim Due :	03/23/2013

Natural Supplements and Remedies, Inc., d/b/a Vitanergy has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Natural Supplements and Remedies, Inc., d/b/a Vitanergy 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Oliver Alan Ruiz/

Oliver Alan Ruiz

oruiz@malloylaw.com, jcmalloy@malloylaw.com, litigation@malloylaw.com

kurt@incip.com

07/01/2011