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

Proceeding	92054617
Party	Plaintiff Nouvelle Parfumerie Gandour
Correspondence Address	SCOTT R AUSTIN VLP LAW GROUP LLP 5200 N FEDERAL HWY SUITE 2-1081 FT LAUDERALE, FL 33308 UNITED STATES SAustin@VLPLawGroup.com,Trademarks@VLPLawGroup.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Scott R. Austin
Filer's e-mail	saustin@vlplawgroup.com
Signature	/Scott R. Austin/
Date	09/16/2014
Attachments	September 16 2014 Consent Motion to Suspend and Reset Dates Canc. 92054617.pdf(167736 bytes)

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

In the Matter of Trademark Registration No. 3,504,398
for the mark BIO CLAIRE Registered September 23, 2008

NOUVELLE PARFUMERIE GANDOUR)	
)	
Petitioner,)	
v.)	
)	Cancellation No. 92054617
Y.Z.Y., INC.)	
)	
Respondent.)	
)	
)	
)	

CONSENT MOTION TO SUSPEND PROCEEDING AND RESET SCHEDULE
OF DISCOVERY AND TESTIMONY PERIODS

Petitioner/Plaintiff Nouvelle Parfumerie Gandour, (“Petitioner”), by and through its attorneys, VLP Law Group LLP, with the consent of counsel to Respondent/Defendant Y.Z.Y., Inc. (“Respondent”), having successfully completed their initial discovery conference in accordance with Trademark Rule 2.120(a)(2) and pursuant to a stipulation confirmed in email correspondence between Petitioner’s counsel and Respondent’s counsel, consenting to this Motion and to service between the parties via electronic mail (the “Stipulation”), hereby moves the Board for a suspension of these proceedings to allow the parties to pursue settlement negotiations in good faith and to extend by an additional six months and reset the schedule for the Discovery and Testimony Periods in accordance with 37 C.F.R. § 2.121(c), as follows:

Expert Disclosures Due	3/15/2015
Discovery Closes	4/15/2015
Plaintiff's Pretrial Disclosures	5/29/2015
Plaintiff's 30-day Trial Period Ends	7/13/2015
Defendant's Pretrial Disclosures	7/28/2015
Defendant's 30-day Trial Period Ends	9/14/2015
Plaintiff's Rebuttal Disclosures	9/29/2015
Plaintiff's 15-day Rebuttal Period Ends	10/28/2015

Additional time is needed for the Discovery and Testimony Periods because further time is necessary to continue discovery and consider settlement negotiations, especially considering the overseas location of Petitioner and its witnesses.

Respondent through its counsel consented to the six month suspension and resulting extensions requested herein via electronic mail to counsel for Petitioner, Scott R. Austin on September 15, 2014.

In light of the foregoing, Petitioner respectfully requests that the Board grant Petitioner's Consent Motion and extend the Discovery and Testimony Periods to the respective dates set forth above.

Dated: September 16, 2014
Fort Lauderdale, Florida

Respectfully submitted,
/Scott R. Austin/ (L.S.)
Scott R. Austin, Esq.
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Attorneys for Petitioner

ELECTRONIC MAILING CERTIFICATE

I hereby certify that the CONSENT MOTION TO SUSPEND PROCEEDING AND RESET SCHEDULE OF DISCOVERY AND TESTIMONY PERIODS is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board (ESTTA) on this 16th day of September, 2014.

/Scott R. Austin/
Scott R. Austin
VLP Law Group LLP

CERTIFICATE OF SERVICE BY ELECTRONIC MAIL
PER STIPULATION OF COUNSEL

I hereby certify that on September 16, 2014 a true and correct copy of CONSENT MOTION TO SUSPEND PROCEEDING AND RESET SCHEDULE OF DISCOVERY AND TESTIMONY PERIODS is being served via Electronic Mail pursuant to the Stipulation between the respective counsel of record for the parties to this Cancellation Proceeding as follows:

Richard S. Ross, Esq.
prodp@ix.netcom.com

Date of Electronic Mailing: September 16, 2014

Printed Name: Scott R. Austin

Signature: /Scott R. Austin/