

ESTTA Tracking number: **ESTTA696610**

Filing date: **09/17/2015**

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

Proceeding	92057634
Party	Plaintiff JunkFood Clothing Company
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Submission	Motion to Suspend for Settlement Discussions
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Signature	/J. Parks Workman/
Date	09/17/2015
Attachments	92057634_Consent Motion for Suspension_17SEP2015.pdf(170568 bytes)

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

In the matter of Registration No. 3786964

JunkFood Clothing Company,)	
)	
Petitioner,)	Cancellation No. 92057634
)	
v.)	Reg. No. 3786964
)	
Pak’s Trading Europe B.V.,)	Mark:
)	
)	
Respondant.)	



CONSENT MOTION FOR SUSPENSION

Petitioner, Junkfood Clothing Company (“Junkfood”), with the consent of Pak’s Trading Europe B.V. (“Pak’s”), moves for an additional 90-day suspension of all deadlines in this matter. Good cause exists for the suspension because the parties are actively engaged in settlement discussions and are close to reaching a final resolution. A detailed report is provided below:

1. Junkfood and Pak’s are currently engaged in settlement discussions to resolve this matter and two separate proceedings, including Cancellation No. 92055779 and Opposition No. 91207632, which were more recently filed.
2. The settlement discussions between Junkfood and Pak’s have been complicated because of the complex nature of the various proceedings. The settlement discussions have

included the discussion of numerous terms that could lead to resolution of this particular matter and the additional proceedings and so that the parties can resolve complex issues concerning worldwide rights.

3. Since December 2014, the parties have diligently engaged in numerous exchanges of formal draft settlement proposals resulting in the narrowing of the issues needed to be addressed. The parties have actively engaged in settlement discussions concerning several terms to be included in the formal draft settlement agreement. The most recent discussions have resulted in a further narrowing of the issues. The parties hope to finalize the formal written settlement agreement to resolve this Cancellation No. 92057634 and Opposition No. 91207632 and Cancellation No. 92055779.

4. Thus, the parties request a 90-day suspension of proceedings so that final edits to a formal written settlement agreement can be completed.

For the foregoing reasons, the parties' respectfully request that the Board grant a 90-day suspension of proceedings so that resolution of the issues can be finalized.

Time to Answer :	01/10/2016
Deadline for Discovery Conference :	02/10/2016
Discovery Opens :	02/10/2016
Initial Disclosures Due :	03/11/2016
Expert Disclosures Due :	06/29/2016
Discovery Period to Close :	08/08/2016
Plaintiff Pretrial Disclosures :	09/21/2016

Plaintiff's 30-day Trial Period Ends :	11/04/2016
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	11/19/2016
Defendant's 30-day Trial Period Ends	01/04/2017
Plaintiff's Rebuttal Disclosures Due	01/19/2017
Plaintiff's 15-day Rebuttal Period Ends	02/19/2017

Respectfully submitted,

DORITY & MANNING, P.A.

Date: September 17, 2015

/j. parks workman/
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Attorneys for Opposer
Junkfood Clothing Company

CERTIFICATE OF SERVICE

I hereby certify that on **September 17, 2015** I served a true and complete copy of the foregoing **CONSENT MOTION FOR SUSPENSION** on opposing counsel via First Class Mail, postage prepaid as follows:

Jeffrey A. Lindenbaum
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/laura hensel/

Laura Hensel