

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: September 14, 2016

Cancellation No. 92061845

Datum Group LLC

v.

Thomas Koenig

Amy Matelski, Paralegal Specialist:

Petitioner's consented motion (filed September 7, 2016) to further suspend this proceeding for settlement negotiations, is granted as modified.¹

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended, subject to the right of either party to request resumption at any time. *See* Trademark Rule 2.117(c), and 2.127(a); and TBMP § 605.02).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set forth below.

¹ Petitioner's electronically generated motion did not take into consideration the initial disclosure deadline. Petitioner's attention is directed to the statement on the ESTTA website, which informs the parties that they should not use the consent motions forms if the proceeding was instituted on or after November 1, 2007. Instead the parties should file its motions to extend utilizing the general filings tab.

Initial Disclosures Due	3/17/2017
Expert Disclosures Due	7/15/2017
Discovery Closes	8/14/2017
Plaintiff's Pretrial Disclosures	9/28/2017
Plaintiff's 30-day Trial Period Ends	11/12/2017
Defendant's Pretrial Disclosures	11/27/2017
Defendant's 30-day Trial Period Ends	1/11/2018
Plaintiff's Rebuttal Disclosures	1/26/2018
Plaintiff's 15-day Rebuttal Period Ends	2/25/2018

If the parties agree to another extension or suspension, they will be expected to report to the Board on the progress of discovery, or of any ongoing settlement negotiations. Such report must include: a recitation of discovery taken to date, a statement of issues that have been resolved and issues that remain to be resolved, and a firm timetable for resolution. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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

² If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.