

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: September 7, 2006

Opposition No. 91124432

QWEST COMMUNICATIONS  
INTERNATIONAL INC

v.

QUEST MEDIA AND SUPPLIES, INC

**Jyll S. Taylor, Attorney :**

By way of background, on February 24, 2005, the Board granted applicant's consented motion to suspend and advised applicant that future motions to extend or suspend must be accompanied by a detailed report on the progress of their settlement negotiations, failing which the motion may not be approved.

On October 17, 2005, proceedings herein were resumed and discovery and trial dates reset.

On December 30, 2005, applicant filed a consented motion to suspend "for the purpose of settlement negotiations." It is noted that the motion did not contain a report on the progress of the parties' negotiations and ordinarily would have been denied. However, inasmuch as more than six months have passed since the filing date of the motion, and to prevent any prejudice to the parties, the

motion to suspend is granted and the Board considers this proceeding to have been suspended since the filing date thereof.

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are resumed.

The parties are reminded that in the event they seek any further extension of time or suspension of this proceeding, the parties must provide a detailed report on the progress of their settlement negotiations to establish good cause for any continued suspension. The report must include a recitation of issues that have been resolved, a recitation of issues that remain to be resolved, and a firm timetable for resolution.

**Absent such a report, any future motion to extend or suspend will not be approved, even though agreed to by the parties.**

Discovery and trial dates are reset as indicated below:

THE PERIOD FOR DISCOVERY TO CLOSE:	December 10, 2006
30-day testimony period for party in position of plaintiff to close:	March 10, 2007
30-day testimony period for party in position of defendant to close:	May 9, 2007
15-day rebuttal testimony period to close:	June 27, 2007

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. Rule 2.125.

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

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