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

Proceeding	91161183
Party	Defendant Orange Personal Communications Services Limited
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Submission	Motion to Suspend for Settlement Discussions
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Date	11/15/2010
Attachments	ING v. OPC Consolidated Opp - Motion on Consent to Extend for Settlement.pdf (4 pages)(160564 bytes)

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

ING DIRECT BANCORP (by change of name
from ING USA HOLDING CORPORATION),

Opposer,

v.

ORANGE PERSONAL
COMMUNICATIONS SERVICES LIMITED,

Applicant.

CONSOLIDATED

Opposition Nos. **91-161,183 (Parent)**

91-162,981

91-163,494

91-163,523

91-164,137

91-164,807

91-185,077

**MOTION ON CONSENT TO SUSPEND PROCEEDINGS
AND TO EXTEND DISCOVERY AND TRIAL SCHEDULES**

Applicant, Orange Personal Communications Services Limited (hereafter, "OPC"), with the consent of Opposer, ING DIRECT Bancorp (hereafter, "ING DIRECT"), requests that this proceeding be suspended for another three (3) months, subject to the right of either party to request resumption of the proceeding at any time.

The parties request this further suspension because it is necessary to allow them to finalize the settlement of this matter. Since May, the parties have made significant progress in resolving their differences and believe they have reached an agreement and are finalizing the settlement papers. At this time, resuming this proceeding and moving forward with discovery would severely hinder the parties' longstanding efforts to conclude the settlement of this matter.

OPC further requests, for the foregoing reasons, and with the consent of ING DIRECT, that the period for discovery, which currently is set to close on January 13, 2011, be extended until sixty (60) days from the date of resumption of this proceeding, and that all subsequent dates be reset accordingly.

OPC further requests, for the foregoing reasons, and with the consent of ING DIRECT, that ING DIRECT be allowed fourteen (14) days from resumption of this proceeding to oppose or otherwise respond to OPC's Motion to Compel filed on November 5, 2008, and that OPC be allowed fifteen (15) days from the date of ING DIRECT's response to file a reply to any such response.

OPC further requests, for the foregoing reasons, and with the consent of ING DIRECT, that ING DIRECT be allowed fourteen (14) days from resumption of this proceeding to respond or otherwise object to the discovery requests served by OPC on ING DIRECT on or prior to November 11, 2008, namely:

- Second Set of Interrogatories, dated October 14, 2008 (Nos. 16-17);
- Third Set of Interrogatories, dated October 24, 2008 (Nos. 18-19);
- Second Set of Document Requests, dated October 14, 2008 (Nos. 41-54);
- Third Set of Document Requests, dated October 24, 2008 (Nos. 55-69); and
- First Set of Requests for Admission, dated October 24, 2008 (Nos. 1-41).

Accordingly, unless either party requests resumption prior to the expiration of the three (3) months, OPC requests, with the consent of ING DIRECT, this Board's approval of the following proposed schedule:

Proceedings Resume	02/14/2011
ING DIRECT's Responses to Discovery Served by OPC prior to November 11, 2008	02/28/2011
ING DIRECT's Response to OPC's Motion to Compel filed on November 5, 2008	02/28/2011
OPC's Reply to ING DIRECT's Response to OPC's Motion to Compel filed on November 5, 2008	03/15/2011
Discovery Period to Close	04/15/2011
Thirty-day testimony period for party in position of plaintiff to close	07/11/2011
Thirty-day testimony period for party in position of defendant to close	08/10/2011
Fifteen-day rebuttal testimony period to close	10/24/2011

On Monday, November 8, 2010, counsel for ING DIRECT consented and agreed to the foregoing Motion and all requests made herein.

Dated: November 15, 2010

Respectfully submitted,

CROWELL & MORING LLP

By: /s/ Julia K. Smith
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Attorneys for Applicant
Orange Personal Communications Services, Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 2010, a true and correct copy of the MOTION ON CONSENT TO SUSPEND PROCEEDINGS AND TO EXTEND DISCOVERY AND TRIAL SCHEDULES was served on counsel for the Opposer by electronic mail to:

Catherine H. Stockell, Esq.
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and

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/s/ Julia K. Smith
Julia K. Smith