

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

Mailed: April 7, 2011

Opposition No. 91161183  
Opposition No. 91162981  
Opposition No. 91163494  
Opposition No. 91163523  
Opposition No. 91164137  
Opposition No. 91164807  
Opposition No. 91185077

ING Direct Bancorp

v.

Orange Personal  
Communications Services  
Limited

**M. Catherine Faint,  
Interlocutory Attorney:**

On April 5, 2011 the Board held a telephone conference involving Erin M. Hickey, counsel for ING Direct Bancorp, Julia K. Smith, counsel for Orange Personal Communications Services Limited, and Interlocutory attorney Catherine Faint.

Before the Board was a stipulation between the parties wherein applicant proposes to amend its application Serial Nos. 76142527, 76309149, 78854524, 75877398 and 76975927, with opposer's consent.

Opposition Nos. 91161183, 91162981, 91163494, 91163523, 91164137, 91164807 and 91185077

By the proposed amendment applicant seeks to delete the Trademark Act § 1(b) basis in each application.<sup>1</sup> In each of these applications, applicant claims more than one basis, and the remaining basis applies to all of the goods or services in each class. An applicant claiming more than one basis for an application may delete a basis at any time. Trademark Rule 2.35(b)(1).

Inasmuch as the amendment appears to comply with Trademark Rule 2.35, and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

The parties moved during the teleconference for a suspension of THIRTY DAYS for them to proceed with additional settlement negotiations. The motion is granted. Accordingly, proceedings are suspended for **THIRTY DAYS** from the date of this teleconference, subject to the right of either party to request resumption at any time.

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 out below. The parties are reminded that they are under a continuing obligation to show good cause in the form of a report on the progress of any settlement negotiations in the event they seek any further extensions of time for settlement purposes.

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<sup>1</sup> Each of these applications also retains a basis pursuant to Trademark Act § 44 which remains unchanged.

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**Proceedings Resume**

**May 6, 2011**

DISCOVERY PERIOD TO CLOSE:

**July 5, 2011**

30-day testimony period for party in  
position of plaintiff to close:

**October 3, 2011**

30-day testimony period for party in  
position of defendant to close:

**December 2, 2011**

15-day rebuttal testimony period for  
plaintiff to close:

**January 16, 2012**

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.

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