

ESTTA Tracking number: **ESTTA264015**

Filing date: **02/02/2009**

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

Proceeding.	91182104
Applicant	Defendant Cargill, Incorporated
Other Party	Plaintiff OPIN Systems, Inc.

### **Motion for Suspension for Settlement With Consent**

The parties are actively engaged in negotiations for the settlement of this matter. Cargill, Incorporated requests that this proceeding be suspended for 180 days to allow the parties to continue their settlement efforts.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	09/03/2009
Discovery Closes :	10/03/2009
Plaintiff's Pretrial Disclosures :	11/17/2009
Plaintiff's 30-day Trial Period Ends :	01/01/2010
Defendant's Pretrial Disclosures :	01/16/2010
Defendant's 30-day Trial Period Ends :	03/02/2010
Plaintiff's Rebuttal Disclosures :	03/17/2010
Plaintiff's 15-day Rebuttal Period Ends :	04/16/2010

Cargill, Incorporated has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Cargill, Incorporated has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,  
/William Schultz/  
William Schultz  
cargilltm@merchantgould.com  
Jim.Nikolai@nm-iplaw.com  
02/02/2009