

ESTTA Tracking number: **ESTTA397148**

Filing date: **03/09/2011**

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

Proceeding	91187963
Party	Plaintiff Chocoladefabriken Lindt & Sprungli AG
Correspondence Address	CHRISTOPHER C MACKEY MAYER BROWN LLP PO BOX 2828 CHICAGO, IL 60690-2828 UNITED STATES cmackey@mayerbrown.com, ipdocket@mayerbrown.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Christopher C. Mackey
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Signature	/CCM/
Date	03/09/2011
Attachments	INTENSE DARK - Motion to Suspend with Consent (3-9-11).pdf ( 3 pages ) (12077 bytes )

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

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Chocoladefabriken Lindt & Sprungli AG, :  
Opposer—Plaintiff, :  
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vs. :

Karlo Flores, :

Applicant—Defendant. :  
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**Opposition No. 91187963**

Trademark Trial and Appeal Board  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**JOINT STIPULATED MOTION TO SUSPEND FOR SETTLEMENT**

Opposer, Chocoladefabriken Lindt & Sprungli AG, by and through its attorneys hereby requests that this proceeding be suspended for thirty (30) days to allow Opposer and Applicant (collectively, “the Parties”) to continue their settlement efforts. If granted, this motion would reset the respective dates as follows:

Expert disclosures due:	05/02/2011
Discovery period to close:	06/01/2011
Plaintiff pretrial disclosures:	07/16/2011
Plaintiff’s 30-day trial period ends:	08/30/2011
Defendant’s pretrial disclosures:	09/14/2011
Defendant’s 30-day trial period ends:	10/29/2011
Plaintiff’s rebuttal disclosures:	11/13/2011
Plaintiff’s 15-day rebuttal period ends:	12/13/2011

This request is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office. The Parties have reached an agreement in principle regarding the amicable settlement of this matter and are simply awaiting one executed counterpart of the settlement agreement. As soon as that executed counterpart is received, this matter will be resolved. Accordingly, the Parties jointly represent that an additional thirty-day suspension is warranted and necessary to maintain the status quo during the execution of the settlement agreement. The Parties further believe that the aforementioned circumstances constitute good cause for this request. Counsel for Applicant Karlo Flores has expressly consented to this request.

An order granting this motion is respectfully requested.

Respectfully submitted,

Dated: March 9, 2011

By:         /CCM/          
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*Attorney for Opposer  
Chocoladefabriken Lindt & Sprungli*

**Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties at their address of record by email (by agreement with counsel) on this date.

Dated: March 9, 2011

By:         /CCM/          
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