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

Proceeding	91189124
Party	Plaintiff Yap Inc.
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Submission	Motion to Suspend for Settlement Discussions
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Date	02/09/2012
Attachments	2012-02-09 Y1 - Renewed Motion for Suspension for Settlement With Consent.pdf (3 pages)(11990 bytes)

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

Yap, Inc.,

Opposer,

v.

MPOWER Mobile, Inc.,

Applicant.

Opposition No. 91189124

Opposition No. 91191874

RENEWED MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT

On January 27, 2012, Opposer Yap, Inc. (“Opposer”), with the consent of Applicant MPOWER Mobile, Inc. (“Applicant”), requested that this proceeding be suspended for thirty (30) days to allow the parties to continue their settlement efforts. That request was denied, without prejudice, on February 9, 2012. For the reasons set forth below, the parties renew their request for a suspension, with proceedings to resume on March 10, 2012.

Responding to the Board’s request for a detailed report on the parties’ settlement efforts, the parties report the following: During the interim period between the filing of the request for suspension and its denial, the parties have been able to reach an agreement in principle to a resolution of these consolidated proceedings – together with pending Opposition No. 91201274 – and are in the process of preparing the paperwork necessary to memorialize that agreement. The parties believe they will be able to complete their settlement prior to the expiration of the requested suspension. All discovery has been completed and, prior to the initial suspension of these proceedings, on February 28, 2011, Opposer had served the pretrial disclosures required by Rule 2.121(e) of the Trademark Rules of Practice.

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2012, I served the foregoing Motion for Suspension for Settlement With Consent on the Applicant by mailing a copy thereof by First-Class Mail, postage prepaid, addressed to Applicant's counsel of record as follows:

Christopher L. Graff
Pirkey Barber LLP
600 Congress Avenue, Suite 2120
Austin, TX 78701

s/ Eleanor Elko

Eleanor Elko