

ESTTA Tracking number: **ESTTA318727**

Filing date: **11/24/2009**

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

Proceeding.	91192395
Applicant	Defendant Boom LLC
Other Party	Plaintiff Allergan, Inc.

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

The parties are actively engaged in negotiations for the settlement of this matter. Boom LLC requests that this proceeding be suspended for 90 days to allow the parties to continue their settlement efforts.

Time to Answer :	03/01/2010
Deadline for Discovery Conference :	03/31/2010
Discovery Opens :	03/31/2010
Initial Disclosures Due :	04/30/2010
Expert Disclosure Due :	08/28/2010
Discovery Closes :	09/27/2010
Plaintiff's Pretrial Disclosures :	11/11/2010
Plaintiff's 30-day Trial Period Ends :	12/26/2010
Defendant's Pretrial Disclosures :	01/10/2011
Defendant's 30-day Trial Period Ends :	02/24/2011
Plaintiff's Rebuttal Disclosures :	03/11/2011
Plaintiff's 15-day Rebuttal Period Ends :	04/10/2011

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

Boom LLC 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/MichaelJBrown/  
Michael J Brown  
michael@mjbrownlaw.com  
kwilton@seyfarth.com, kelko@seyfarth.com  
11/24/2009