

ESTTA Tracking number: **ESTTA347696**

Filing date: **05/14/2010**

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

Proceeding	91193319
Party	Plaintiff Palm, Inc.
Correspondence Address	CONNIE L. ELLERBACH FENWICK & WEST LLP 801 CALIFORNIA STREET, SILICON VALLEY CENTER MOUNTAIN VIEW, CA 94041 UNITED STATES trademarks@fenwick.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Connie L. Ellerbach, Esq.
Filer's e-mail	trademarks@fenwick.com
Signature	/cle1087/
Date	05/14/2010
Attachments	Consented Motion to Suspend.pdf (4 pages)(45764 bytes)

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

In the matter of
Trademark Application No. 77/691,186
Filed: March 14, 2009
Published: September 15, 2009
Mark: TEO

Palm, Inc.,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	
)	
vs.)	
)	Opposition No. 91193319
Stephen Hill.)	
)	
Defendant and)	
Counterclaim Plaintiff.)	
)	
)	

CONSENTED MOTION TO SUSPEND

Plaintiff and Counterclaim Defendant, Palm, Inc., by and through its attorneys, hereby requests that the Trademark Trial and Appeal Board ("Board") suspend proceedings in the above-entitled matter for a period of sixty days (60) days, and that the discovery and testimony periods set in the above-entitled matter be reset as follows:

Discovery Opens	July 10, 2010
Initial Disclosures Due	August 9, 2010
Expert Disclosures Due	December 17, 2010
Discovery Closes	January 6, 2011
Plaintiff's Pretrial Disclosures	February 20, 2011
Plaintiff's 30-day Testimony Period Ends	April 6, 2011

Defendant's/Counterclaim Plaintiff's Pretrial Disclosures	April 21, 2011
Defendant's and Counterclaim Plaintiff's 30-day Testimony Period Ends	June 5, 2011
Plaintiff's and Counterclaim Defendant's Rebuttal Disclosures	June 20, 2011
Plaintiff's and Counterclaim Defendant's Rebuttal Period Ends	August 4, 2011
Counterclaim Plaintiff's Rebuttal Disclosures	August 19, 2011
Counterclaim Plaintiff's 15-day Rebuttal Period Ends	September 18, 2011
Plaintiff's Brief due	November 17, 2011
Defendant's and Counterclaim Plaintiff's Brief due	December 17, 2011
Counterclaim Defendant's Brief and Plaintiff's Reply Brief due	January 16, 2012
Counterclaim Plaintiff's Reply Brief due	January 31, 2012

This request is made in good faith and not for the purpose of unduly delaying proceedings in the Patent and Trademark Office. The parties are negotiating a possible settlement of this matter, which may obviate the need to continue with opposition proceedings. It is believed that this constitutes good cause for the request, and an order granting this motion is respectfully requested.

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PROOF OF SERVICE BY MAIL

I declare that:

I am employed in the County of Mountain View, California.

I am over the age of eighteen years and not a party to the within cause; my business address is 801 California Street, Mountain View, California 94041. On the date indicated below, I served the within **CONSENTED MOTION TO SUSPEND**, on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Kalai Lau Wineland
Patentique PLLC
P.O. Box 5803
Bellevue, WA 98006

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 14th day of May, 2010.

Leonor Iglesias

24264/00750/DOCS/2241907.1

Mark: TEO
Opposition No.: 91193319