

ESTTA Tracking number: **ESTTA403797**

Filing date: **04/14/2011**

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

Proceeding	91194071
Party	Plaintiff McDonough Braungart Design Chemistry, LLC
Correspondence Address	Brian B. Darville Brocadiant PLLC P.O. Box 320670 Alexandria, VA 22320 UNITED STATES bdarville@brocadiant.com
Submission	Other Motions/Papers
Filer's Name	Brian B. Darville
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Date	04/14/2011
Attachments	91194071-4112011-susp.pdf (3 pages)(706708 bytes)

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

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MCDONOUGH BRAUNGART)		
DESIGN CHEMISTRY, LLC,)		
)		
Opposer,)	Opposition No.: 91/194,071	
)	Mark: KELLY-MOORE PAINTS	
)	CRADLE TO CRADLE	
v.)	ENVIRONMENTALLY	
)	RESPONSIBLE	
KELLY-MOORE PAINT COMPANY, INC.)	STEWARDSHIP & DESIGN	
)	Appln. Serial No.: 77/405,578	
Applicant.)		
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The Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

STIPULATED REQUEST FOR SUSPENSION OF PROCEEDINGS

Opposer, McDonough Braungart Design Chemistry, LLC, and Applicant, Kelly-Moore Paint Company, Inc., by and through their respective undersigned counsel, hereby jointly request suspension of proceedings in the above-captioned Opposition for six months, with the option of either party to resume proceedings at any time during the suspended period.

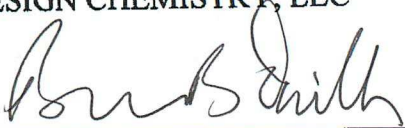
The parties respectfully submit that this request for suspension should be granted as it will permit the parties to explore settlement discussions in an effort to resolve this proceeding.

The parties respectfully request that in the event this proceeding is not resolved by settlement during the suspension period, the Board allow a period of six months for the parties to complete required disclosures and discovery in this proceeding, and that the discovery and trial dates be reset to run thereafter.

Accordingly, Opposer and Applicant respectfully request that the Board grant this motion and: (1) suspend proceedings for six months with the option of either party to resume proceedings at any time; and (2) if proceedings are resumed in the future, reset the opening of discovery to allow the parties a period of six months thereafter to complete all disclosures and discovery, and reset the pretrial disclosure and trial dates to run thereafter.

Respectfully submitted,

MCDONOUGH BRAUNGART
DESIGN CHEMISTRY, LLC

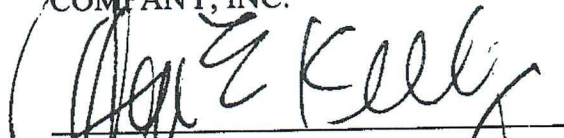


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BBD
Dated: April 12, 2011

BBD/ {70097.0022USTA-411-suspend}

KELLY-MOORE PAINT
COMPANY, INC.



John E. Kelly, Esq.
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Dated: April 14, 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have caused a true and correct copy of the foregoing *Stipulated Request for Suspension of Proceedings*, to be served by U.S. First Class Mail on the following Counsel of Record for Applicant:

John E. Kelly, Esq.
Kelly Lowry & Kelley, LLP
6320 Canoga Avenue, Suite 1650
Woodland Hills, California 91367-7704

this 14th day of April, 2011.

BROCADIANT PLLC

By:



Brian B. Darville