ESTTA Tracking number: **ESTTA550668**

Filing date: **07/26/2013**

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

Proceeding.	91197762
Applicant	Defendant Delphix Corp.
Other Party	Plaintiff Embarcadero Technologies, Inc.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Delphix Corp. requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	11/21/2013
Discovery Closes :	12/21/2013
Plaintiff's Pretrial Disclosures :	02/04/2014
Plaintiff's 30-day Trial Period Ends :	03/21/2014
Defendant's Pretrial Disclosures :	04/05/2014
Defendant's 30-day Trial Period Ends :	05/20/2014
Plaintiff's Rebuttal Disclosures :	06/04/2014
Plaintiff's 15-day Rebuttal Period Ends :	07/04/2014

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

Delphix Corp. 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 First Class Mail on this date.

Respectfully submitted,
/Eric Ball/
Eric Ball
EBall@fenwick.com,trademarks@fenwick.com,csakurai@fenwick.com
MRG@TechMark.com
07/26/2013