

ESTTA Tracking number: **ESTTA539301**

Filing date: **05/22/2013**

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

Proceeding	91206573
Party	Plaintiff Tracie Martyn, Inc.
Correspondence Address	KATHRYN JENNISON SHULTZ JENNISON & SHULTZ PC 2001 JEFFERSON DAVIS HIGHWAY, SUITE 1102 ARLINGTON, VA 22202 UNITED STATES John@JennisonLaw.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Kathryn Jennison Shultz
Filer's e-mail	kjs@jennisonlaw.com
Signature	/Kathryn Jennison Shultz/
Date	05/22/2013
Attachments	motion to suspend 912065_20130522124704.pdf(417706 bytes)

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

TRACIE MARTYN, INC.,	:	
Opposer,	:	Opposition No. 91/206,573
	:	
v.	:	
	:	
NAIL TECH SUPPLY, INC.,	:	
Applicant.	:	

MOTION TO SUSPEND PROCEEDINGS PENDING
RESOLUTION OF SETTLEMENT NEGOTIATIONS

Opposer, Tracie Martyn, Inc., by its attorneys, hereby moves the Trademark Trial and Appeal Board for an order to suspend the subject proceeding for ninety-days. The parties are involved in settlement negotiations and have exchanged numerous drafts of an agreement that is expected to resolve this matter. Opposer is currently awaiting applicant's response to the most recent draft and requests this suspension to provide the parties with time to complete the negotiation process.

Opposer's counsel has attempted to reach applicant's counsel by email and telephone several times within the last few weeks, but has not been able to reach him to obtain his consent to this motion.

This motion is not being filed for purpose of delay. Applicant believes that it has established good cause and respectfully requests the Board to grant this motion to suspend or in the alternative to reset the times for discovery and trial as well as the times for service of outstanding discovery responses.

Respectfully submitted,

TRACIE MARTYN, INC.

Date: May 22, 2013

By: 
Kathryn Jennison Shultz

JENNISON & SHULTZ, P.C.
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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that true and complete copy of the foregoing MOTION TO SUSPEND PROCEEDINGS PENDING RESOLUTION OF SETTLEMENT NEGOTIATIONSS was served upon Applicant Nail Tech Supply, Inc. by forwarding same via First Class Mail, postage prepaid, to Applicant's counsel of record, Alejandro J. Fernandez, Esq., Feldman Gale, P.A., One Biscayne Tower, 30th Floor, 2 South Biscayne Blvd., Miami, Florida 33131-4332, this 22nd day of May, 2013.



Kathryn Jennison Shultz