

ESTTA Tracking number: **ESTTA503046**

Filing date: **10/31/2012**

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

Proceeding.	91206676
Applicant	Defendant Itility, L.L.C.
Other Party	Plaintiff Maryville Data Systems, Inc.

### Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Itility, L.L.C. requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

Time to Answer :	12/31/2012
Deadline for Discovery Conference :	01/30/2013
Discovery Opens :	01/30/2013
Initial Disclosures Due :	03/01/2013
Expert Disclosure Due :	06/29/2013
Discovery Closes :	07/29/2013
Plaintiff's Pretrial Disclosures :	09/12/2013
Plaintiff's 30-day Trial Period Ends :	10/27/2013
Defendant's Pretrial Disclosures :	11/11/2013
Defendant's 30-day Trial Period Ends :	12/26/2013
Plaintiff's Rebuttal Disclosures :	01/10/2014
Plaintiff's 15-day Rebuttal Period Ends :	02/09/2014

Itility, L.L.C. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Itility, L.L.C. 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,  
/Theodore A. Breiner/  
Theodore A. Breiner  
tbreiner@bbpatlaw.com  
grobbins@spencerfane.com  
10/31/2012