

ESTTA Tracking number: **ESTTA574099**

Filing date: **12/02/2013**

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

| | |
|---------------------------|--|
| Proceeding | 91211668 |
| Party | Plaintiff Square, 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 | Stephen Garcia |
| Filer's e-mail | trademarks@fenwick.com |
| Signature | /stephen garcia/ |
| Date | 12/02/2013 |
| Attachments | FAIR SQUARE COM Suspension.pdf(110787 bytes) |

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

In the matter of
 Trademark Application No.: 79/111,017
 Mark: FAIR SQUARE COM (and design)

| | | |
|--------------------------|---|-------------------------|
| Square, Inc. |) | |
| |) | |
| |) | |
| vs. |) | Opposition No. 91211668 |
| |) | |
| Soft Integrated Sp.zo.o, |) | |
| |) | |
| Applicant. |) | |

**STIPULATED MOTION FOR SUSPENSION OF OPPOSITION
AND TO RESET TESTIMONY PERIODS**

Applicant, Square, Inc., by and through its attorneys, hereby requests that the Trademark Trial and Appeal Board (the “Board”) suspend proceedings in the above-entitled opposition for sixty (60) days to allow the parties to time to continue settlement negotiations. Counsel for Applicant consented to this request via e-mail on November 29, 2013.

The parties are engaged in negotiations for the settlement of this matter. Opposer requests that the Board suspend proceedings for sixty (60) days and reset all subsequent dates accordingly, to allow the parties to continue their settlement negotiations. The reset trial dates would be as follows:

| | |
|---|------------|
| Initial Disclosures Due | 02/01/2014 |
| Expert Disclosures Due | 06/01/2014 |
| Discovery Closes | 07/01/2014 |
| Plaintiff’s Pretrial Disclosures | 08/15/2014 |
| 30-day Testimony Period for Plaintiff’s Testimony to Close | 09/29/2014 |
| Defendant/Counterclaim Plaintiff’s Pretrial Disclosures | 10/14/2014 |

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|---|------------|
| 30-day Testimony Period for Defendant and Plaintiff in the Counterclaim to Close | 11/28/2014 |
| Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due | 12/13/2014 |
| 30-day Testimony Period for Defendant in the Counterclaim and Rebuttal Testimony for Plaintiff to Close | 01/27/2015 |
| Counterclaim Plaintiff's Rebuttal Disclosures Due | 02/11/2015 |
| 15-day Rebuttal Period for Plaintiff in the Counterclaim to Close | 03/13/2015 |
| Brief for Plaintiff Due | 05/12/2015 |
| Brief for Defendant and Plaintiff in the Counterclaim Due | 06/11/2015 |
| Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due | 07/11/2015 |
| Reply Brief, if any, for Plaintiff in the Counterclaim Due | 07/26/2015 |

Opposer believes this request for suspension is for good cause and respectfully requests that the Board grant this motion.

Opposer has provided an e-mail address herewith for itself and for the Applicant so that the Board may electronically issue any order on this motion.

A Proof of Service by Mail and Email accompanies this Motion.

Respectfully submitted,

Dated: December 2, 2013

/Stephen Garcia/
 Connie L. Ellerbach, Esq.
 Eric J. Ball, Esq.
 Stephen R. Garcia, Esq.
 Attorneys for Applicant
 FENWICK & WEST LLP
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 Mountain View, CA 94041
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 trademarks@fenwick.com

PROOF OF SERVICE

I declare that:

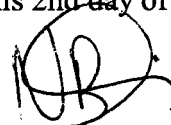
I am employed in the County of Santa Clara, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, California 94041. On the date indicated below, I served the within STIPULATED MOTION FOR SUSPENSION OF OPPOSITION AND TO RESET TRIAL DATES , on the interested parties in said cause, by placing a true copy thereof as indicated below, addressed as follows:

Alexander S. Lazouski
Lazouski & Associates LLC
157 Third Avenue, Suite 2C
Westwood, NJ 07675
Email: al@lzlzlawoffice.com

- BY US MAIL:** by placing the document(s) listed above in a sealed envelope for collection and mailing following our ordinary business practices. I am readily familiar with our ordinary business practices for collecting and processing mail for the United States Postal Service, and mail that I place for collection and processing is regularly deposited with the United States Postal Service that same day with postage prepaid.
- BY E-MAIL:** by mutual agreement between the parties, causing to be transmitted via e-mail the document(s) listed above to the addressee(s) at the e-mail address(es) listed above.
- BY PERSONAL DELIVERY:** by causing to be personally delivered the document(s) listed above to the addressee(s) at the address(es) set forth above.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 2nd day of December 2013.



Nanette M. Barranti