

ESTTA Tracking number: **ESTTA589004**

Filing date: **02/24/2014**

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

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| Proceeding.  | 91214033                               |
| Applicant  | Defendant<br>Bacardi & Company Limited |
| Other Party  | Plaintiff<br>Monster Energy Company    |
| 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. Bacardi & Company Limited requests that this proceeding be suspended for 60 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 :                   | 09/22/2014 |
| Discovery Closes :                        | 10/22/2014 |
| Plaintiff's Pretrial Disclosures :        | 12/06/2014 |
| Plaintiff's 30-day Trial Period Ends :    | 01/20/2015 |
| Defendant's Pretrial Disclosures :        | 02/04/2015 |
| Defendant's 30-day Trial Period Ends :    | 03/21/2015 |
| Plaintiff's Rebuttal Disclosures :        | 04/05/2015 |
| Plaintiff's 15-day Rebuttal Period Ends : | 05/05/2015 |

Bacardi & Company Limited has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Bacardi & Company Limited 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,

/H. Straat Tenney/

H. Straat Tenney

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