

ESTTA Tracking number: **ESTTA712497**

Filing date: **12/03/2015**

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

Proceeding.	91222947
Applicant	Defendant Nutralus Australia Pty Ltd
Other Party	Plaintiff Nestlé Skin Care Company AG
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

### Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Nutralus Australia Pty Ltd requests that this proceeding be suspended for 90 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 :	08/01/2016
Discovery Closes :	08/31/2016
Plaintiff's Pretrial Disclosures :	10/15/2016
Plaintiff's 30-day Trial Period Ends :	11/29/2016
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	12/14/2016
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	01/28/2017
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	02/12/2017
30-day Trial Period for Counterclaim Defendant and Plaintiff Rebuttal Testimony as Plaintiff ends :	03/29/2017
Counterclaim Plaintiff's Rebuttal Disclosures Due :	04/13/2017
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	05/13/2017
Plaintiff's Trial Brief Due :	07/12/2017
Defendant's Trial Brief and Plaintiff in the Counterclaim Due :	08/11/2017
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	09/10/2017
Reply Brief, if any, for Plaintiff in the Counterclaim Due :	09/25/2017

Nutralus Australia Pty Ltd has secured the express consent of all other parties to this proceeding for the sus-

pension and resetting of dates requested herein.

Natralus Australia Pty Ltd 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,

/Robert B. Burlingame/

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