

ESTTA Tracking number: **ESTTA935151**

Filing date: **11/14/2018**

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

Proceeding	91227909
Party	Defendant Argus Information and Advisory Services, LLC
Correspondence Address	MICHAEL R FRISCIA MCCARTER & ENGLISH LLP FOUR GATEWAY CENTER, 100 MULBERRY STREET NEWARK, NJ 07102-4056 UNITED STATES mfriscia@mccarter.com, kgarrone@mccarter.com, kknoll@mccarter.com 973-622-4444
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Michael Friscia
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Signature	/Michael R. Friscia/
Date	11/14/2018
Attachments	91227909 11-14 Motion for suspension with consent reason - Argus SOFTWARE.pdf(20293 bytes)

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

ARGUS SOFTWARE, INC.,	:		
	:		
Opposer,	:		
	:		
-vs-	:		
	:	Opposition No.:	91227909
ARGUS INFORMATION AND	:		
ADVISORY SERVICES, LLC,	:	Mark:	ARGUS
	:	Serial No.:	86/531,892
Applicant.	:		

**MOTION FOR SUSPENSION OF DISCOVERY
AND TRIAL PERIODS WITH CONSENT**

Applicant Argus Information and Advisory Services, LLC, requests that all deadlines in this proceeding be suspended for sixty (60) days to allow the parties to continue their settlement efforts.

Good cause exists for an extension of all remaining deadlines because the parties have drafted and have been in the process of negotiating the terms of a written settlement agreement and need additional time in which to finalize the agreement. Certain provisions have been agreed upon by the parties, and additional terms are still being discussed. Applicant incorporates by reference herein the detailed history of this matter that was set forth in the Motion for Suspension for Settlement with Consent, filed August 29, 2018. Most recently, on September 12, 2018, Applicant's counsel provided Opposer's counsel with a proposal regarding potential amendments to Applicant's identification of goods and

services in Classes 9 and 42. On September 18, 2018, Opposer's counsel contacted Applicant's counsel following up on an inquiry about Applicant's services. On November 5, 2018, Applicant's counsel responded to that inquiry and provided a revised proposed amended identification of goods and services in Classes 9 and 42.

The parties plan to continue to work towards reaching an amicable settlement and have made progress towards settlement. Accordingly, this extension is not requested for purposes of delay; it is requested so the parties can continue to pursue settlement. The parties hope to finalize settlement within the next sixty (60) days.

The deadline for the parties to serve expert disclosures is currently scheduled for November 14, 2018 and the close of discovery is currently scheduled for December 14, 2018. Applicant requests that such dates be suspended for sixty (60) days, or until January 13, 2019 and February 12, 2019, respectively, and that all subsequent dates be reset accordingly. Applicant proposes that the revised schedule for the proceedings be as follows:

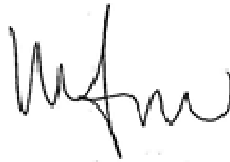
Time to Answer:	CLOSED
Deadline for Discovery Conference:	CLOSED
Discovery Opens:	CLOSED
Initial Disclosures Due:	CLOSED
Expert Disclosure Due:	January 13, 2019
Discovery Closes:	February 12, 2019
Plaintiff's Pretrial Disclosures:	March 29, 2019
Plaintiff's 30-day Trial Period Ends:	May 11, 2019
Defendant's Pretrial Disclosures:	May 26, 2019

Defendant's 30-day Trial Period Ends: July 12, 2019
Plaintiff's Rebuttal Disclosures: July 27, 2019
Plaintiff's 15-day Rebuttal Period Ends: September 25, 2019
Plaintiff's Opening Brief Due: October 25, 2019
Defendant's Brief Due: November 24, 2019
Plaintiff's Reply Brief Due: December 9, 2019
Request for Oral Hearing (optional): December 19, 2019

Argus Information and Advisory Services, LLC has secured the express consent of Argus Software, Inc. Argus Software, Inc.'s counsel consented to the suspension request by email on November 7, 2018.

Dated: November 14, 2018

Respectfully submitted,



By:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing MOTION FOR SUSPENSION OF DISCOVERY AND TRIAL PERIODS WITH CONSENT has been served by email upon Opposer's counsel on this date at the following address of record:

Patrick J Jennings
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street NW
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United States
dctm@pillsburylaw.com

/Kimberly Knoll/
Kimberly Knoll

Date: November 14, 2018