

ESTTA Tracking number: **ESTTA947026**

Filing date: **01/11/2019**

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

Proceeding	91227909
Party	Plaintiff Argus Software, Inc.
Correspondence Address	PATRICK J JENNINGS PILLSBURY WINTHROP SHAW PITTMAN LLP 1200 SEVENTEENTH STREET NW WASHINGTON, DC 20036 UNITED STATES dctm@pillsburylaw.com 202-663-8000
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Patrick J. Jennings
Filer's email	dctm@pillsburylaw.com
Signature	/Pat Jennings/
Date	01/11/2019
Attachments	1-11-19 Request for Suspension in the Argus Opposition 4839-1222-3365 v.pdf(87093 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Argus Software, Inc.,)	
)	
Opposer,)	Ser. No. 86531892
)	
v.)	Opp. No. 91227909
)	
Argus Information and Advisory Services, LLC,)	
)	
Applicant.)	

MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT

Pursuant to Trademark Rules 2.117 and TBMP § 605.02, Argus Software, Inc. (“Opposer”) and Argus Information and Advisory Services, LLC (“Applicant”) respectfully request that the Trademark Trial and Appeal Board (“TTAB”) suspend further action on this proceeding for sixty (60) days, until March 19, 2019, to allow the parties to continue their settlement efforts.

Good cause exists for the suspension because the parties continue to exchange goods and services amendments that would result in the resolution of the dispute. Opposer proposed the most recent possible goods and services amendments on January 7, 2019 and is awaiting Applicant’s response to those proposals, with the hope that the parties are near a resolution of the dispute. Opposer incorporates by reference herein the detailed history of this matter that was set forth in the suspension motions filed by Opposer on August 29, 2018 and by Applicant on November 14, 2018. The parties plan to continue to work towards reaching an amicable settlement and have made progress towards settlement.

The parties do not request this suspension 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 days. The opposition will come off suspension on January 13, 2019, when the parties' expert disclosures are due. Opposer proposes the following trial dates:

Expert Disclosure Due: March 15, 2019

Discovery Closes: April 14, 2019

Plaintiff's Pretrial Disclosures: May 29, 2019

Plaintiff's 30-day Trial Period Ends: July 13, 2019

Defendant's Pretrial Disclosures: July 28, 2019

Defendant's 30-day Trial Period Ends: September 11, 2019

Plaintiff's Rebuttal Disclosures: September 26, 2019

Plaintiff's 15-day Rebuttal Period Ends: October 26, 2019

Plaintiff's Opening Brief Due: December 25, 2019

Defendant's Brief Due: January 24, 2020

Plaintiff's Reply Brief Due: February 8, 2020

Request for Oral Hearing (optional): February 18, 2020

Respectfully submitted,

Argus Information and Advisory Services, LLC

Argus Software, Inc.

/Kelley Garrone/

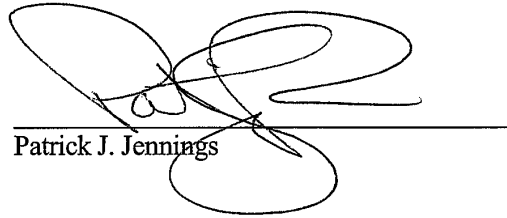
Kelley Garrone
McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056

/Pat Jennings/

Patrick J. Jennings
Pillsbury Winthrop Shaw Pittman, LLP
1200 Seventeenth Street, NW
Washington, D.C. 20036

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT has been served on Kelley Garrone of McCarter & English, LLP by forwarding said copy on January 11, 2019, via email, to kgarrone@mccarter.com.



Patrick J. Jennings