

ESTTA Tracking number: **ESTTA831823**

Filing date: **07/07/2017**

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

Proceeding	91227911
Party	Plaintiff Elite IT Partners, Inc.
Correspondence Address	BRIAN J RIDDLE FABAIN VANCOTT PC 215 SOUTH STATE STREET, SUITE 1200 SALT LAKE CITY, UT 84111 UNITED STATES Email: briddle@fabianvancott.com, ndeforge@fabianvancott.com, mnelson@fabianvancott.com, mmcclelland@fabianvancott.com, tbreiner@bbpatlaw.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Brian J. Riddle
Filer's email	briddle@fabianvancott.com, mnelson@fabianvancott.com, ndeforge@fabianvancott.com, mmcclelland@fabianvancott.com, tbreiner@bbpatlaw.com
Signature	/Brian J. Riddle/
Date	07/07/2017
Attachments	Elite-Alberta - Fifth Stipulated Motion to Suspend for Settlement Discussions.pdf(124135 bytes)

Nicole M. Deforge (UT Bar # A7581)
Brian J. Riddle (UT Bar #A12637)
Megan J. Nelson (UT Bar #A15691)
FABIAN VANCOTT
215 S. State Street, Suite 1200
Salt Lake City, UT 84111-2323
Telephone: (801) 574-2638
briddle@fabianvancott.com
mnelson@fabianvancott.com

Attorneys for Opposer

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

Elite IT Partners, Inc., a Utah corporation

Opposer

v.

1601054 Alberta Ltd., a numbered Alberta,
Canada corporation

Applicant

**FIFTH JOINT STIPULATION OF
PARTIES**

Opposition No.: 91227911

Application Serial No.: 86145088

Mark: ELITEPARTNER

Whereas the parties are finalizing a settlement, the parties have agreed to suspend this proceeding for an additional 30 days, and further agree and stipulate as follows:

1. The proceeding will resume on July 28, 2017.

2. Applicant's deadline for responding to Opposer's Motion for Extension of Discovery Deadline, which was served on February 17, 2017, is August 9, 2017.
3. Applicant's deadline for responding to Opposer's Second Set of Discovery Requests, which were served on February 17, 2017, is August 18, 2017.
4. The deadline for the close of discovery is August 18, 2017.
5. The deadline for Opposer's Pretrial Disclosures is October 2, 2017.
6. Opposer's 30-day Trial Period ends November 16, 2017.
7. The deadline for Applicant's Pretrial Disclosures is December 1, 2017.
8. Applicant's 30-day Trial Period ends January 15, 2018.
9. The deadline for Opposer's Rebuttal Disclosures is January 30, 2018.
10. Opposer's 15-day Rebuttal Period ends March 1, 2018.

DATED this 7th day of July:

/s/ Brian J. Riddle

Nicole M. Deforge
Brian J. Riddle
Megan J. Nelson
FABIAN VANCOTT
Attorneys for Opposer

/s/ Theodore A. Breiner

(Electronically signed with permission)
Theodore A. Breiner
BREINER & BREINER, L.L.C.
115 North Henry Street
Alexandria, VA 22314
tbreiner@bbpatlaw.com
Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of **FIFTH JOINT STIPULATION OF PARTIES** has been served on the following by transmitting said copy on July 7, 2017 via email to counsel for Applicant at the following address:

Ted Breiner
BREINER & BREINER, L.L.C.
115 North Henry Street
Alexandria, VA 22314
Tel: 703-684-6885
Fax: 703-684-8206
tbreiner@bbpatlaw.com
Attorney for Applicant

DATED this 7th day of July, 2017.

/s/ Brian J. Riddle
