ESTTA Tracking number: **ESTTA935850**

Filing date: **11/19/2018**

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

| | |
|---|---|
| Proceeding | 91228028 |
| Party | Plaintiff<br>Ridge Tool Company |
| Correspondence Address | LISA M DUROSS<br>HARNESS DICKEY & PIERCE PLC<br>5445 CORPORATE DR STE 200<br>TROY, MI 48098<br>UNITED STATES<br>troymailroom@hdp.com, lmduross@hdp.com, agrant@hdp.com, bmarkham@hdp.com, lgolusin@hdp.com<br>248-641-1286 |
| Submission | Motion to Suspend for Settlement Discussions |
| Filer's Name | Lisa M. DuRoss |
| Filer's email | duross@hdp.com, tjcomparoni@hdp.com, troymailroom@hdp.com |
| Signature | /Lisa M. DuRoss/ |
| Date | 11/19/2018 |
| Attachments | 91228028 - Motion to Suspend 111918.pdf(100111 bytes ) |

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

| | | |
|---|---|---|
| Ridge Tool Company,<br>Opposer,<br><br>v.<br><br>Timothy P. White<br>Applicant. | ) | Opposition No. 91228028<br>Serial No. 86/283265<br>Mark: RIDGEWING |

**CONSENTED MOTION TO SUSPEND**

Opposer, Ridge Tool Company respectfully requests that these proceedings be further suspended for a period of ninety (90) days in order to allow the parties additional time to pursue settlement in this matter, subject to the right of either party to request resumption at any time. Neal Friedman (nfriedman@davisandbujold.com), counsel for Applicant, consented to this Motion to Suspend by email on November 16, 2018.

In light of the Board's August 22, 2017, request that a progress report establishing good cause accompany any further requests for extension or suspension, the parties respond as follows:

The parties have had a series of substantive settlement discussions that began prior to the instant proceeding. The discussions led to the drafting of a proposed settlement document, which prompted further negotiations. Since the filing of the last Consented Motion to Suspend, Applicant has responded to Opposer's latest draft proposal. Currently, the Opposer requires additional time to review, respond and finalize the draft proposal.

**Recitation of Issues Resolved**

As noted above, the parties have exchanged drafts of an agreement and have proposed certain limitations on the use and registration of Applicant's mark.

**Recitation of Issues that Remain to be Resolved**

While the parties are amenable in principle to limitations on the use and registration of the mark, they require additional time to finalize the proposal.

**Timetable for Final Resolution**

The parties are reasonably hopeful the remaining issues will be resolved within the sought suspension period.

Every other party to these proceedings has agreed to the filing of this motion and has agreed to the dates set forth below. As this request is made for good cause and not made simply for purposes of delay, the parties respectfully request that the suspension be granted and discovery and trial dates be reset as indicated below:

Time to Answer ..... 02/17/19

Deadline for Discovery Conference ..... 03/19/19

Discovery Opens ..... 03/19/19

Initial Disclosures Due ..... 04/18/19

Expert Disclosures Due ..... 08/16/19

Discovery Closes ..... 09/15/19

Plaintiff's Pretrial Disclosures..... 10/30/19

Plaintiff's 30-Day Trial Period Ends ..... 12/14/19

Defendant's Pretrial Disclosures..... 12/29/19

Defendant's 30-Day Trial Period Ends..... 02/12/20

Plaintiff's Rebuttal Disclosures..... 02/27/20

Plaintiff's 15-Day Rebuttal Period Ends .... 03/28/20

Plaintiff's Brief Due..... 05/27/20

Defendant's Brief Due..... 06/26/20

Plaintiff's Reply Brief Due ..... 07/11/20

Request for Oral Hearing (optional) Due... 07/21/20

Respectfully submitted,

Dated November 19, 2018

By: /Lisa M. DuRoss/

Lisa M. DuRoss, Esq.
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy, Michigan 48098
(248) 641-1286

Attorneys for Ridge Tool Company

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

| | | |
|---|---|---|
| Ridge Tool Company,<br>Opposer,<br><br>v.<br><br>Timothy P. White<br>Applicant. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>) | Opposition No. 91228028<br>Serial No. 86/283265<br>Mark: RIDGEWING |

## CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Consented Motion to Suspend has been served on counsel for Applicant, Neal E. Friedman by forwarding said copy on November 19, 2018, via email to:

Neal E. Friedman
Davis & Bujold PLLC
112 Pleasant Street
Concord, New Hampshire 03301-2931
patent@davisandbujold.com, nfriedman@davisandbujold.com

/Timothy J. Comparoni/
Timothy J. Comparoni