

ESTTA Tracking number: **ESTTA922266**

Filing date: **09/14/2018**

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

Proceeding	91230042
Party	Plaintiff Provide Commerce, Inc.
Correspondence Address	MICHAEL CULVER MILLEN WHITE ZELANO & BRANIGAN PC 2200 CLARENDON BLVD SUITE 1400 ARLINGTON, VA 22201 UNITED STATES mandell@mwzb.com, major@mwzb.com, docketing@mwzb.com, culver@mwzb.com 703-243-6333
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Scott J. Major
Filer's email	major@mwzb.com, docketing@mwzb.com
Signature	/Scott J. Major/
Date	09/14/2018
Attachments	SIGNATURE consented motion for suspension - 9-14-18.pdf(17818 bytes)

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

Provide Commerce, Inc.)	
)	
Opposer)	
)	
v.)	Opposition No. 91230042
)	Mark: SIGNATURE BERRY BOX
Edible Arrangements, LLC,)	App. Serial No. 86/835,876
)	
Applicant)	
_____)	

**OPPOSER’S MOTION ON CONSENT TO SUSPEND
FOR SETTLEMENT NEGOTIATIONS**

Opposer Provide Commerce, Inc. (“Opposer”), by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of sixty (60) days. The suspension is requested to allow the parties to continue to negotiate appropriate terms and to attempt to finalize a settlement among the parties.

Since the filing of the last extension request on August 7, 2018, the parties have engaged in direct discussions regarding resolution, and there have been multiple email exchanges between outside counsel regarding scheduling issues and discovery.

The parties desire additional time to attempt to negotiate the terms of a settlement and to draft and finalize an agreement concerning the registration and use of the mark at issue in this opposition, as well as marks that are the subject of other proceedings between the parties. Accordingly, Opposer, with the consent of Applicant, moves for an order suspending the proceedings in this matter for a period of sixty (60) days and resetting all subsequent deadlines in this matter as follows:

Expert Disclosure Due: 12/3/2018
Discovery Closes: 1/2/2018
Plaintiff’s Pretrial Disclosures: 2/16/2018
Plaintiff’s 30-day Trial Period Ends: 4/3/2018

