

ESTTA Tracking number: **ESTTA816339**

Filing date: **04/24/2017**

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

Proceeding.	91233439
Applicant	Defendant 2XU Pty Ltd
Other Party	Plaintiff H. Best, Ltd.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

### Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. 2XU Pty Ltd requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Time to Answer : 05/24/2017  
 Deadline for Discovery Conference : 06/23/2017  
 Discovery Opens : 06/23/2017  
 Initial Disclosures Due : 07/23/2017  
 Expert Disclosure Due : 11/20/2017  
 Discovery Closes : 12/20/2017  
 Plaintiff's Pretrial Disclosures : 02/03/2018  
 Plaintiff's 30-day Trial Period Ends : 03/20/2018  
 Defendant/Counterclaim Plaintiff's Pretrial Disclosures : 04/04/2018  
 30-day Trial Period for Defendant and Plaintiff in the Counterclaim : 05/19/2018  
 Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due : 06/03/2018  
 30-day Trial Period for Counterclaim Defendant and Plaintiff Rebuttal Testimony as Plaintiff ends : 07/18/2018  
 Counterclaim Plaintiff's Rebuttal Disclosures Due : 08/02/2018  
 15-day Rebuttal Period for Counterclaim Plaintiff Ends : 09/01/2018  
 Plaintiff's Trial Brief Due : 10/31/2018  
 Defendant's Trial Brief and Plaintiff in the Counterclaim Due : 11/30/2018  
 Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due : 12/30/2018  
 Reply Brief, if any, for Plaintiff in the Counterclaim Due : 01/14/2019

2XU Pty Ltd has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

2XU Pty Ltd has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/Jennifer Lee Taylor/

Jennifer Lee Taylor

tmdocket@mofo.com, jtaylor@mofo.com, droumiantseva@mofo.com, ggabriel@mofo.com

mrm@cfl.com

04/24/2017