

ESTTA Tracking number: **ESTTA1054001**

Filing date: **05/07/2020**

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

Proceeding No.	91235518
Filing Party	Plaintiff Birds Eye Foods LLC
Other Party	Defendant Robert Wallace DBA Del Rio Vineyards, LLC
Pending Motion	There is no motion currently pending and no other motion is being filed concurrent with this consent motion.

### Consent Motion for Suspension for Settlement

The parties are actively engaged in negotiations for the settlement of this matter. Birds Eye Foods LLC requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Proceedings to resume on **06/07/2020**.

Time to Answer	08/21/2017 (CLOSED)
Deadline for Discovery Conference	09/20/2017 (CLOSED)
Discovery Opens	09/20/2017 (CLOSED)
Initial Disclosures Due	10/20/2017 (CLOSED)
Expert Disclosures Due	12/24/2019 (CLOSED)
Discovery Closes	04/29/2020
Plaintiff's Pretrial Disclosures Due	06/13/2020
Plaintiff's 30-day Trial Period Ends	07/28/2020
Defendant's Pretrial Disclosures Due	08/12/2020
Defendant's 30-day Trial Period Ends	09/26/2020
Plaintiff's Rebuttal Disclosures Due	10/11/2020
Plaintiff's 15-day Rebuttal Period Ends	11/10/2020
Plaintiff's Opening Brief Due	01/09/2021
Defendant's Brief Due	02/08/2021
Plaintiff's Reply Brief Due	02/23/2021
Request for Oral Hearing (optional) Due	03/05/2021

Birds Eye Foods LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

### Certificate of Service

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

Respectfully submitted,

/s/ Michael J. Tolles

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