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

Proceeding	91243985
Party	Defendant Medela Holding AG
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Date	03/15/2021
Attachments	MOTHERS MILK EVERYDAY AMAZING Consented Motion to Suspend 3-15-21.pdf (76730 bytes )

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

TRADITIONAL MEDICINALS, INC.	:	
Opposer,	:	
v.	:	Opposition No. 91243985
MEDELA HOLDING AG	:	
Applicant.	:	
	:	

**CONSENTED MOTION TO SUSPEND**

On December 15, 2020, the Board granted Applicant’s consented motion to further suspend this proceeding for 90-days for good cause shown because the Parties were continuing their negotiations for the possible settlement of this case. The Board also advised the Parties that in the event that either party files a further motion to extend or suspend, they must provide a status report. With this filing, the Parties jointly seek a further 90-day suspension, as they are continuing to negotiate the terms of a potential settlement. The status of negotiations and the good cause for further suspension are as set forth below.

The Parties continue to discuss the terms of co-existence in specificity. Applicant had prepared a draft settlement agreement that was under discussion by both parties. However, Opposer wished to simplify the written expression of the agreed upon terms in the draft. In the past few weeks, Opposer submitted to Applicant a revised draft simplifying certain language and also proposing some substantive changes. Applicant is currently in internal discussions to consider this proposed agreement revision from Opposer.

Accordingly, the Parties continue to actively work on a settlement that concerns the terms under which the Parties might co-exist in the marketplace. There appears to be agreement on certain core issues, however additional issues, specifically regarding exceptions to core terms are still under discussion. The Parties continue to discuss specific terms that will limit each Party's use to address the different areas of commerce in which each Party is active. The Parties hope to resolve all issues via these terms and their written expression in the agreement that is now under consideration. However, the Parties need additional time to finalize the terms and how they will be expressed in the agreement. Both Parties agree that this motion is necessary, and counsel for Opposer has provided its consent thereto.

This suspension request is not made for purposes of delay, but seeks to allow the Parties to continue to work on a detailed agreement that concerns the Parties' co-existence and use of their respective marks. The Parties respectfully request that the Board grant the 90-day suspension and issue a new trial schedule to which the Parties can abide. If the motion is denied, Applicant requests that the Board grant it sufficient to time to again seek suspension or file its answer.

Respectfully submitted,

Date: March 15, 2021

/aimeemallen/

AIMEE M. ALLEN

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via email this  
15th day of March, 2021 upon the following:

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