

ESTTA Tracking number: **ESTTA1067700**

Filing date: **07/13/2020**

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

Proceeding No.	91252638
Filing Party	Plaintiff Gardens Alive, Inc.
Other Party	Defendant Mastronardi Produce Ltd.
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. Gardens Alive, Inc. requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Proceedings to resume on **08/13/2020**.

Answer to Counterclaim Due	02/28/2020 (CLOSED)
Deadline for Discovery Conference	05/29/2020 (CLOSED)
Discovery Opens	05/29/2020 (CLOSED)
Initial Disclosures Due	06/28/2020 (CLOSED)
Expert Disclosures Due	11/26/2020
Discovery Closes	12/26/2020
Pretrial Disclosures Due for Party in Position of Plaintiff in Original Claim	02/09/2021
30-day Trial Period Ends for Party in Position of Plaintiff in Original Claim	03/26/2021
Pretrial Disclosures Due for Party in Position of Defendant in Original Claim and in Position of Plaintiff in Counterclaim	04/10/2021
30-day Trial Period Ends for Party in Position of Defendant in Original Claim, and in Position of Plaintiff in Counterclaim	05/25/2021
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Original Claim and in Position of Defendant in Counterclaim	06/09/2021
30-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Original Claim, and in Position of Defendant in Counterclaim	07/24/2021
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Counterclaim	08/08/2021
15-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Counterclaim	09/07/2021
Opening Brief for Party in Position of Plaintiff in Original Claim Due	11/06/2021
Combined Brief for Party in Position of Defendant in Original Claim and Opening Brief as Plaintiff in Counterclaim Due	12/06/2021
Combined Rebuttal Brief for Party in Position of Plaintiff in Original Claim and Brief as Defendant in Counterclaim Due	01/05/2022
Rebuttal Brief for Party in Position of Plaintiff in Counterclaim Due	01/20/2022
Request for Oral Hearing (optional) Due	01/30/2022

Gardens Alive, Inc. 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,

/Anna P. Chang/

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07/13/2020