

ESTTA Tracking number: **ESTTA1036532**

Filing date: **02/18/2020**

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

Proceeding No.	91252904
Filing Party	Defendant Toyo Tire Corporation
Other Party	Plaintiff Cummins Engine IP, Inc.
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. Toyo Tire Corporation requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Proceedings to resume on **03/20/2020**.

Time to Answer	03/24/2020
Deadline for Discovery Conference	04/23/2020
Discovery Opens	04/23/2020
Initial Disclosures Due	05/23/2020
Expert Disclosures Due	09/20/2020
Discovery Closes	10/20/2020
Plaintiff's Pretrial Disclosures Due	12/04/2020
Plaintiff's 30-day Trial Period Ends	01/18/2021
Defendant's Pretrial Disclosures Due	02/02/2021
Defendant's 30-day Trial Period Ends	03/19/2021
Plaintiff's Rebuttal Disclosures Due	04/03/2021
Plaintiff's 15-day Rebuttal Period Ends	05/03/2021
Plaintiff's Opening Brief Due	07/02/2021
Defendant's Brief Due	08/01/2021
Plaintiff's Reply Brief Due	08/16/2021
Request for Oral Hearing (optional) Due	08/26/2021

Toyo Tire Corporation 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,  
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02/18/2020