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Filing date: **02/11/2022**

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

Proceeding no.	91252910
Party	Defendant Avalanche IP LLC
Correspondence address	LAURA B. SIEGAL 39 CHESTNUT ROAD MANHASSET, NY 11030 UNITED STATES Primary email: legalsiegal@aol.com 516-869-6422
Submission	Motion to Suspend for Settlement Discussions
Filer's name	Laura B. Siegal
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Signature	/Laura B. Siegal/
Date	02/11/2022
Attachments	Avalanche - Susp. Req. (2.11.22 - 91252910).pdf(124872 bytes )

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

In the Matter of Trademark Application Serial No. 88/336232  
Published in the Official Gazette on June 18, 2019

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COLORADO AVALANCHE, LLC,	:	
	:	
Opposer,	:	Opposition No. 91252910
	:	
v.	:	
	:	
AVALANCHE IP LLC,	:	
	:	
Applicant.	:	

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**MOTION ON CONSENT TO SUSPEND PROCEEDINGS**

Applicant, by and through its attorneys, and with Opposer's consent, hereby moves for an order suspending the proceedings in this matter for a period of sixty (60) days to allow the parties to continue their pending settlement negotiations. Under the requested schedule, Applicant's Answer in this matter currently is due by February 14, 2022.

The parties have been negotiating a comprehensive settlement agreement that would resolve this opposition, together with related proceedings between the parties involving additional trademark applications filed by Applicant in the United States and other international jurisdictions. Good cause exists to grant this consented motion, and any delay was not because of neglect, but rather resulted because the parties have undergone changes in personnel, representation and/or corporate ownership during the proceedings (including, most recently, the departure and replacement of Opposer's General Counsel). Furthermore, both parties' regular

business operations were suddenly disrupted by the COVID-19 pandemic, including office closures and Opposer's recent move to new office space.

Despite these challenges, active settlement negotiations are still underway and moving forward. Since the last update, counsel for the parties have exchanged several rounds of emails regarding status and settlement, i.e., on December 8, December 12, January 1, January 24 and January 25. The parties and their respective counsel have been actively reviewing and exchanging comments on a draft settlement agreement that would resolve this and other related trademark oppositions between the parties, and they believe that they have resolved a prior stalemate. Most recently, on January 24, 2022, Applicant advised Opposer that it accepted the latest proposed amendments to the settlement agreement. At this point, Applicant is waiting for confirmation from Opposer's senior management that it is ready to finalize the agreement. Thus, the requested suspension will allow the parties to finalize a comprehensive worldwide settlement agreement and afford them time to satisfy actions required under the agreement.

In view of the foregoing, Applicant, with Opposer's consent, respectfully requests that the Board grant the requested suspension and reset the deadlines in this proceeding as set forth below:

	<b>Current Schedule</b>	<b>Proposed Schedule</b>
Time to Answer	2/14/22	4/15/22
Deadline for Discovery Conference	3/16/22	5/15/22
Discovery Opens	3/16/22	5/15/22
Initial Disclosures Due	4/15/22	6/14/22
Expert Disclosures Due	8/13/22	10/12/22

Discovery Closes	9/12/22	11/11/22
Plaintiff's Pretrial Disclosures Due	10/28/22	12/27/22
Plaintiff's 30-day Trial Period Ends	12/11/22	2/9/23
Defendant's Pretrial Disclosures Due	12/27/22	2/25/23
Defendant's 30-day Trial Period Ends	2/9/23	4/10/23
Plaintiff's Rebuttal Disclosures Due	2/24/23	4/25/23
Plaintiff's 15-day Rebuttal Period Ends	3/26/23	5/25/23
Plaintiff's Opening Brief Due	5/25/23	7/24/23
Defendant's Brief Due	6/24/23	8/23/23
Plaintiff's Reply Brief Due	7/9/23	9/7/23

Dated: February 11, 2022

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion on Consent to Suspend Proceedings has been served upon Opposer on February 11, 2022 by email to:

Jia Wang, Esq.  
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*Laura B. Siegal*

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Laura B. Siegal