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

Proceeding	91254418
Party	Plaintiff NetScout Systems, Inc.
Correspondence Address	AMANDA K. GREENSPON MUNCK WILSON MANDALA LLP P.O. DRAWER 800889 DOCKET CLERK DALLAS, TX 75380 UNITED STATES Primary Email: ttab@munckwilson.com Secondary Email(s): bsprang@munckwilson.com, srose@munckwilson.com 972-628-3600
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Chandler Stephens
Filer's email	ttab@munckwilson.com, srose@munckwilson.com
Signature	/cds/
Date	08/16/2021
Attachments	NTCT05-00250 - Motion to Suspend Opp. No. 91254418 (60 Days) August 2 021.pdf(135570 bytes)

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

NetScout Systems, Inc.,	:	
	:	
Opposer,	:	**Opposition No. 91254418**
	:	
Skout Secure Intelligence LLC,	:	
	:	
Applicant.	:	
	:	

MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT

NetScout Systems, Inc. ("Opposer") hereby requests, with consent, that this opposition proceeding be suspended for 60 days to allow the parties to continue their settlement efforts, and that all discovery and trial periods be reset accordingly, as follows:

	Current Schedule	Proposed Schedule
Time to Answer	08/14/2021	10/13/2021
Deadline for Discovery Conference	09/13/2021	11/12/2021
Discovery Opens	09/13/2021	11/12/2021
Initial Disclosures Due	10/13/2021	12/12/2021
Expert Disclosures Due	02/10/2022	04/11/2022
Discovery Closes	03/12/2022	05/11/2022
Plaintiff's Pretrial Disclosures Due	04/26/2022	06/25/2022
Plaintiff's 30-day Trial Period Ends	06/10/2022	08/09/2022
Defendant's Pretrial Disclosures Due	06/25/2022	08/24/2022
Defendant's 30-day Trial Period Ends	08/09/2022	10/08/2022
Plaintiff's Rebuttal Disclosures Due	08/24/2022	10/23/2022
Plaintiff's 15-day Rebuttal Period Ends	09/23/2022	11/22/2022
Plaintiff's Opening Brief Due	11/22/2022	01/21/2023
Defendant's Brief Due	12/22/2022	02/20/2023
Plaintiff's Reply Brief Due	01/06/2023	03/07/2023
Request for Oral Hearing (optional) Due	01/16/2023	03/17/2023

As good cause supporting this Motion, the parties state that they are actively engaged in settlement discussions. Since the last motion filed on June 3, 2021, counsel for the parties have communicated via email regarding settlement negotiations on the following dates: June 7, 2021; June 8, 2021; June 9, 2021; June 11, 2021; July 27, 2021; July 30, 2021, August 3, 2021, August 4, 2021, August 5, 2021, August 6, 2021, and August 13, 2021, with regard to this opposition and Opposition Nos. 91254416 and 91246497. This motion is consistent with the Motion for Suspension for Settlement with Consent filed on August 6, 2021, in Opposition No. 91246497. The parties have resolved issues regarding the future use and registration of their respective marks in multiple jurisdictions and continue to negotiate issues relating to use and limitations on future registrations to ensure co-existence without likelihood of confusion. The parties expect to execute a settlement agreement in the coming weeks to resolve all pending oppositions between the parties. The parties propose the revised timetable shown above.

This motion is therefore filed in good faith and not for purposes of delay. Accordingly, Opposer submits that good cause has been shown to grant the requested suspension. Opposer has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

WHEREFORE, Opposer respectfully requests that the Board grant this Motion, suspend the proceeding, and reset the discovery and trial periods as set forth herein to allow the parties to continue their settlement efforts.

Dated: August 16, 2021

Respectfully submitted,

/s/ Chandler Stephens

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ATTORNEYS FOR OPPOSER
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Consented By:

/s/ Ben Natter

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ATTORNEYS FOR APPLICANT
Skout Secure Intelligence LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion for Suspension for Settlement with Consent was served on the Attorney of record for Applicant, via email to the addresses below, on August 16, 2021:

Ben Natter
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/s/ Chandler Stephens
Chandler Stephens