

ESTTA Tracking number: **ESTTA1218052**

Filing date: **06/28/2022**

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

Proceeding no.	91263874
Party	Defendant Exxon Mobil Corporation
Correspondence address	STEPHEN P. MELEEN PIRKEY BARBER PLLC 1801 EAST 6TH STREET, SUITE 300 AUSTIN, TX 78702 UNITED STATES Primary email: smeleen@pirkeybarber.com Secondary email(s): tsmith@pirkeybarber.com, eolson@pirkeybarber.com, tm-central@pirkeybarber.com 512-322-5200
Submission	Motion to Suspend for Settlement Discussions
Filer's name	Tyson D. Smith
Filer's email	smeleen@pirkeybarber.com, tsmith@pirkeybarber.com, eolson@pirkeybarber.com, tmcentral@pirkeybarber.com
Signature	/Tyson Smith/
Date	06/28/2022
Attachments	Motion for Suspension.pdf(107968 bytes)

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

InFocus Corporation,

Petitioner,

v.

Exxon Mobil Corporation.,

Registrant.

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Opposition No. 91263874

**CONSENTED MOTION FOR 60-DAY SUSPENSION
AND REPORT TO THE BOARD**

Pursuant to 37 C.F.R. § 2.117(c) and in accordance with the May 4, 2022 Order issued in this proceeding, Exxon Mobil Corporation (“Applicant” or “ExxonMobil”) hereby requests that the deadlines in this proceeding be extended for a period of sixty (60) days. Opposer’s counsel consented to this motion on June 28, 2022.

The parties note the Board’s requirement that they provide a progress report in connection with further requests for extension or suspension in this proceeding. The parties are currently diligently engaged in settlement negotiations on a worldwide basis to resolve the present opposition, and as reported in the prior-filed consented motions to suspend, the parties have engaged in extensive and detailed settlement discussions, and have exchanged several settlement proposals and counterproposals with specific terms. The parties continue to diligently work toward resolution on a number of issues, including the use and registration of the parties’ specific marks in the U.S. and internationally. ExxonMobil provided a proposed written settlement agreement to Opposer on January 18, 2022 based on the prior settlement discussions between the parties. Since then, the parties’ counsel have exchanged emails related to settlement negotiations on January 28 and 31, 2022; February 4, 8, 18, and 28, 2022; March 1, 8, and 15, 2022; April 11, 12, 22, 25, and 29, 2022; May 2, 10, 12, 19, 20, and 27; and June 8 and 28. The parties propose attempting to resolve the remaining

issues within the next 60 days, with the possibility that settlement negotiations may continue after that timeframe given the complexity of the issues.

The parties have been making a good-faith effort to negotiate an agreement in this matter and will continue to do so. The parties submit that the requested extension is not made for the purpose of delay, but rather to facilitate settlement discussions and conserve the resources of the parties and the Board while the parties attempt to finalize an agreement.

In light of the foregoing, Applicant respectfully requests that the Board grant this motion, and reset the dates as detailed below:

Time to Answer:	August 28, 2022
Deadline for Discovery Conference:	September 27, 2022
Discovery Opens:	September 27, 2022
Initial Disclosures Due:	October 27, 2022
Expert Disclosures Due:	February 24, 2023
Discovery Period to Close:	March 26, 2023
Plaintiff's Pretrial Disclosures:	May 10, 2023
Plaintiff's 30-day Trial Period Ends:	June 24, 2023
Defendant's Pretrial Disclosures:	July 9, 2023
Defendant's 30-day Trial Period Ends:	August 23, 2023
Plaintiff's Rebuttal Disclosures Due:	September 7, 2023
Plaintiff's 15-day Rebuttal Period Ends:	October 7, 2023
Plaintiff's Opening Brief Due:	December 6, 2023
Defendant's Brief Due:	January 5, 2024
Plaintiff's Reply Brief Due:	January 20, 2024
Request for Oral Hearing (Optional) Due:	January 30, 2024

Opposer's counsel has consented to this suspension request and the dates set forth above. The parties submit that good cause exists as the parties need additional time to explore and work toward settlement.

Dated: June 28, 2022

Respectfully submitted,

/Tyson D. Smith/

Stephen P. Meleen

Tyson D. Smith

PIRKEY BARBER PLLC

1801 East 6th Street, Suite 300

Austin, TX 78702

(512) 322-5200

(512) 322-5201 (fax)

smeleen@pirkeybarber.com

tsmith@pirkeybarber.com

Attorneys for Applicant

CERTIFICATE OF SERVICE

I certify that on June 28, 2022, a copy of this document was served on Opposer's counsel at the email address of record:

B. ANNA MCCOY
MCCOY RUSSELL LLP
806 SW BROADWAY, SUITE 600
PORTLAND, OR 97205
UNITED STATES
TMmail@mccrus.com, harnett@mccrus.com, mccoym@mccrus.com, hall@mccrus.com

/Tyson Smith/
Tyson Smith