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

Proceeding no.	91263874
Party	Defendant Exxon Mobil Corporation
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Submission	Motion to Suspend for Settlement Discussions
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Date	08/29/2022
Attachments	Consent Motion for Suspension.pdf(107682 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 30-DAY SUSPENSION
AND REPORT TO THE BOARD**

Pursuant to 37 C.F.R. § 2.117(c) and in accordance with the July 1, 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 thirty (30) days. Opposer’s counsel consented to this motion on August 26, 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 currently remain 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; June 8 and 28; July 18, 19, and 27; and August 10, 17, 24, and 26. The

parties propose attempting to resolve the remaining issues within the next 30 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:	September 27, 2022
Deadline for Discovery Conference:	October 27, 2022
Discovery Opens:	October 27, 2022
Initial Disclosures Due:	November 26, 2022
Expert Disclosures Due:	March 22, 2023
Discovery Period to Close:	April 25, 2023
Plaintiff's Pretrial Disclosures:	June 9, 2023
Plaintiff's 30-day Trial Period Ends:	July 24, 2023
Defendant's Pretrial Disclosures:	August 8, 2023
Defendant's 30-day Trial Period Ends:	September 22, 2023
Plaintiff's Rebuttal Disclosures Due:	October 7, 2023
Plaintiff's 15-day Rebuttal Period Ends:	November 6, 2023
Plaintiff's Opening Brief Due:	January 5, 2024
Defendant's Brief Due:	February 4, 2024
Plaintiff's Reply Brief Due:	February 19, 2024
Request for Oral Hearing (Optional) Due:	March 1, 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: August 29, 2022

Respectfully submitted,

/Tyson D. Smith/

Stephen P. Meleen

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CERTIFICATE OF SERVICE

I certify that on August 29, 2022, a copy of this document was served on Opposer's counsel at the email address of record:

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