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

Proceeding no.	91265152
Party	Defendant Food La La LLC
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Date	01/10/2022
Attachments	Status Report And Second Extension Request re FOOD LA LA Opposition N o. 91265152.pdf(123076 bytes )

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

Comercializadora de Lacteos y  
Derivados, S.A. de C.V.

Opposer,

v.

Food La La LLC

Applicant.

Opposition No.: 91265152

**STATUS REPORT AND  
SUSPENSION REQUEST**

Applicant Food La La LLC (“Food La La”) and opposer Comercializadora de Lacteos y Derivados, S.A. de C.V. (“CLD”) (collectively referred to as the “Parties”) set out the following status report and request for further suspension of this proceeding while they finalize a settlement agreement.

In compliance with the Board’s Order dated November 16, 2021, the Parties present the following report on the progress of the parties’ settlement efforts:

(1) The parties were in contact on October 27, 2021, November 5, 2021, November 9, 2021, December 23, 2021 and January 5, 2022 regarding settlement. (2) Each of the foregoing communications was via email. (3) The emails concerned the status of obtaining final approval over the settlement agreement the terms of which that have been generally agreed-upon by the Parties. (4) The Parties have reached an agreement on the basic terms of a settlement agreement that will resolve all of the issues

set forth in this opposition, leaving no pending issues for trial (the “Agreement”). The parties have reduced those terms to writing and are in the process of making final revisions to the Agreement and executing it. (5) Issues that remain open are the scope of the Parties’ future trademark use, release of claims language and choice of law provisions. (6) The parties expect to finalize and sign the agreement within 30 days barring unforeseen circumstances.

The Parties therefore requests a further 30-day suspension of this proceeding and a corresponding reset of discovery and testimony dates. The Parties’ proposed trial schedule is therefore as follows:

Time to Answer	2/8/2021
Deadline for Discovery Conference	3/7/2021
Discovery Opens	3/7/2022
Initial Disclosures Due	5/8/2022
Expert Disclosures Due	8/7/2022
Discovery Closes	9/6/2022
Plaintiff's Pretrial Disclosures Due	10/20/2022
Plaintiff's 30-day Trial Period Ends	12/4/2022
Defendant's Pretrial Disclosures Due	12/19/2022
Defendant's 30-day Trial Period Ends	2/3/2023
Plaintiff's Rebuttal Disclosures Due	2/18/2023
Plaintiff's 15-day Rebuttal Period Ends	3/17/2023
Plaintiff's Opening Brief Due	5/18/2023
Defendant's Brief Due	6/18/2023
Plaintiff's Reply Brief Due	7/2/2023
Request for Oral Hearing (optional) Due	7/12/2023

In the alternative, if the Board denies the Parties’ request for suspension, they request that the Board reset dates in the proceeding by a reasonable time as it deems fit.

Dated: January 10, 2022

Respectfully submitted,

By: /s/ Carlo F. Van den Bosch

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CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that the foregoing **STATUS REPORT AND SUSPENSION REQUEST** is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 10th day of January, 2022.

/s/Michelle L. Wisniewski

Michelle L. Wisniewski

CERTIFICATE OF SERVICE

I hereby certify that this **STATUS REPORT AND SUSPENSION REQUEST** is being transmitted by email to the following email addresses of record: iplaw@vorys.com, ltgeyer@vorys.com on this 10th day of January, 2022.

/s/Michelle L. Wisniewski

Michelle L. Wisniewski