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ESTTA Tracking number: **ESTTA1175236**

Filing date: **11/29/2021**

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

Proceeding	92072484
Party	Plaintiff House of Brand Group Pty Ltd.
Correspondence Address	COLIN O'BRIEN LATIMER LEVAY FYOCK LLC 55 WEST MONROE STREET, SUITE 1100 CHICAGO, IL 60603 UNITED STATES Primary Email: tm@llflegal.com 312-442-8000
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Colin O'Brien
Filer's email	tm@llflegal.com
Signature	/Colin O'Brien/
Date	11/29/2021
Attachments	House Of Brand v. Engergy BBDO - Motion for Suspension.pdf(76811 bytes)

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

In the Matter of Registration No 2,867,198: BRANDENERGY

Date of Issue: July 27, 2004

HOUSE OF BRAND GROUP PTY LTD.,	)	
	)	
Petitioner,	)	Cancellation No.: 92072484
	)	
v.	)	
	)	
ENERGY BBDO, INC.,	)	
	)	
Registrant.	)	
	)	

STATUS REPORT AND UNOPPOSED MOTION TO CONTINUE SUSPENSION OF PROCEEDINGS

Petitioner House of Brand Group Pty Ltd. ("Petitioner" or "House of Brand"), by and through its counsel, hereby submits a Status Report and an unopposed Motion to Continue Suspension of Proceedings.

I. STATUS

Parties have engaged in productive negotiations and on October 28, 2021, Petitioner agreed to a final version of a settlement agreement. On November 11, 2021, Petitioner sent a draft of the proposed exhibits to the settlement agreement to Registrant's counsel. Registrant's counsel has been working in good faith with their client to provide revised version of the settlement agreement exhibits. Parties expect to have everything finalized within 60 days at which time the proceeding will be terminated.

II. MOTION TO SUSPEND PROCEEDING

Petitioner hereby requests that its consented motion to suspend the proceeding be granted and that the Trademark Trial and Appeal Board adopt the following proposed trial schedule:

Proceedings Resume: 01/28/2022

Plaintiff's Pretrial Disclosures Due 01/29/2022

Plaintiff's 30-day Trial Period Ends 03/15/2022

Defendant's Pretrial Disclosures Due 03/30/2022

Defendant's 30-day Trial Period Ends 05/16/2022

Plaintiff's Rebuttal Disclosures Due 05/31/2022

Plaintiff's 15-day Rebuttal Period Ends 06/30/2022

Plaintiff's Opening Brief Due 08/29/2022

Defendant's Brief Due 09/28/2022

Plaintiff's Reply Brief Due 10/13/2022

Request for Oral Hearing (optional) Due 10/23/2022.

Dated: November 29, 2020

LATIMER LEVAY FYOCK LLC.

By: /s/Colin T.J. O'Brien

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(312) 442-8000

Attorneys for Petitioner
House of Brand Group Pty Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2021, a true and correct copy of the foregoing document STATUS REPORT AND UNOPPOSED MOTION TO CONTINUE SUSPENSION OF PROCEEDINGS was served to all counsel of record via ESTTA.

/s/Colin T.J. O'Brien

Colin T.J. O'Brien
LATIMER LEVAY FYOCK LLC.

Attorneys for Petitioner
House of Brand Group Pty Ltd.