

ESTTA Tracking number: **ESTTA74597**

Filing date: **04/05/2006**

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

Proceeding	91167758
Party	Defendant Lodestar Anstalt Lodestar Anstalt Lova-Center P.O. Box 1150 LIX FL-9490 Vaduz,
Correspondence Address	D BRUCE PROUT CHRISTIE PARKER & HALE LLP PO BOX 7068 PASADENA, CA 91109-7068
Submission	Other Motions/Papers
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Signature	/Gary J. Nelson/
Date	04/05/2006
Attachments	TTAB.pdf (7 pages)

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

Austin Nichols & Co., Inc. dba Pernod Ricard, U.S.A.	Opposer,
v.	
Lodestar Anstalt	Applicant.

Opposition No. 91167758

Mark: WILD GEESE RARE IRISH
WHISKEY

Ser. No.: 79/000,112

Date Filed: November 19, 2003

MOTION TO SUSPEND OPPOSITION PROCEEDINGS

Applicant Lodestar Anstalt ("Lodestar") moves to suspend the above captioned opposition proceeding pending disposition of a related proceeding, Opposition No. 91155165, now on appeal before the United States Court of Appeals for the Federal Circuit. The appeal was filed by Stichting Lodestar, a related company to Lodestar Anstalt, and seeks the over turn of the decision issued by the United States Trademark Trial and Appeal Board regarding the mark WILD GEESE.

The Opposer in the related Opposition Proceeding is identical to the Opposer in this action. As noted above, the Applicant in the related Opposition Proceeding is related to the Applicant in this action. Likewise, the related Opposition Proceeding involves the same dispute (i.e., the right to register the mark WILD GEESE in light of Opposer's WILD TURKEY trademark).

Under 37 C.F.R. § 2.117(a), the Board has the power to suspend the proceeding when a party or parties to a pending case are engaged in another Board proceeding that may have a bearing on the proceeding. In such instances, the Board will ordinarily "...suspend proceedings in the case before it if the final determination of the other proceeding will have a bearing on the issues before the Board." Trademark, Trial and Appeal Board ("TBMP") §510.02(a). *See General Motors Corporation v. Cadillac Club Fashions, Inc.*, 22 U.S.P.Q.2d 1933, 1937 (TTAB 1992).

Moreover, suspension of this pending opposition proceeding will promote judicial economy and the conservation of the Board's resources.

Accordingly, it is respectfully requested that all further proceedings in Opposition No. 91167758, be suspended pending disposition of the appeal of Opposition No. 91155165

A copy of the Notice of Appeal filed with the TTAB and Petition for Review filed with the United States Court of Appeals for the Federal Circuit have been enclosed with this Motion to Suspend.

DATED: March 30, 2006

Respectfully submitted by,

CHRISTIE, PARKER & HALE, LLP

By: 
Gary J. Nelson

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Attorneys for Opposer

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TRADEMARK
Docket No. 110.2*6/S307

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

Austin, Nichols & Co., Incorporated

Opposer,

v.

Stichting Lodestar

Applicant.

Opposition No. 91155165

NOTICE OF APPEAL

Notice is hereby given that applicant Stichting Lodestar in the above-named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the decision entered in this case on January 17, 2006 sustaining the opposition to Applicant's application for registration.

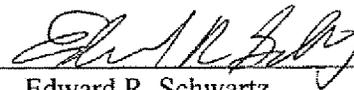
A copy of the decision is attached hereto as Attachment A.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Dated: March 14, 2006

By



Edward R. Schwartz

Attorneys for Applicant

P.O. Box 7068

Pasadena, California 91109-7068

626/795-9900

ERS/blv

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03-15-2006

U.S. Patent & TMOtc/TM Mail Rpt Dt. #72

FORM 5. Petition for Review or Notice of Appeal of an Order or Decision of an Agency, Board, Commission, or Officer

United States Court of Appeals for the Federal Circuit

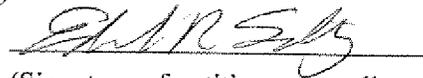
Stichting Lodestar, Petitioner or Appellant,

v.

PETITION FOR REVIEW

Austin Nichols & Co., Incorporated, Respondent or Appellee.

Stichting Lodestar (name all parties* bringing the petition or appeal) hereby petition/appeal the court for review of the decision sustaining opposition to register (describe the order or decision) of the Trademark Trial and Appeal (name the agency, board, commission or officer) entered on January 17, 2006 (date). Board



(Signature of petitioner, appellant or attorney)

CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, California 91109-7068

(Address of petitioner, appellant or attorney)

*See Fed. R. App. P. 15 for permissible ways of identifying petitioners.

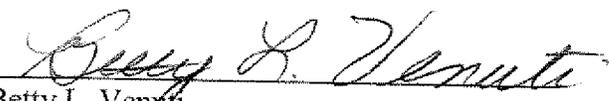
CERTIFICATE OF MAILING AND SERVICE

I certify that on March 15, 2006, the foregoing **PETITION FOR REVIEW** is being deposited via Federal Express addressed to:

Office of the Clerk
U.S. Court of Appeals
95 Seventh Street
San Francisco, CA 94103-1526

It is further certified that on March 15, 2006, the foregoing **PETITION FOR REVIEW** is being served by mailing a copy thereof by first-class mail addressed to:

Louis S. Ederer
Dorothy C. Alevizatos
TORYS, LLP
237 Park Avenue
New York, New York 10017
Tel: (212) 880-6000
FAX: (212) 682-0200

By 
Betty L. Venuti
Christie, Parker & Hale, LLP
P.O. Box 7068
Pasadena, CA 91109-7068

CERTIFICATE OF MAILING AND SERVICE

I certify that on April 5, 2006, the foregoing **MOTION TO SUSPEND OPPOSITION PROCEEDINGS** is being electronically filed with the following:

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

It is further certified that on April 5, 2006, the foregoing **MOTION TO SUSPEND OPPOSITION PROCEEDINGS** is being served by mailing a copy thereof by first-class mail addressed to:

Louis S. Ederer
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By: 

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