

ESTTA Tracking number: **ESTTA279852**

Filing date: **04/23/2009**

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

Proceeding	91176496
Party	Plaintiff Outback/Fleming's LLC
Correspondence Address	Brandt W. Gebhardt Baker & Hostetler LLP 1900 East 9th Street, Suite 3200 Cleveland, OH 44114 UNITED STATES clevelandip@bakerlaw.com, bgebhardt@bakerlaw.com, dwilcox@bakerlaw.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Brandt W. Gebhardt
Filer's e-mail	bgebhardt@bakerlaw.com, clevelandip@bakerlaw.com
Signature	/s/ Brandt Gebhardt
Date	04/23/2009
Attachments	2009-4-23 Stipulated Motion to Suspend.pdf (4 pages)(15377 bytes)

WHEREFORE, having shown good cause that this proceeding be suspended for the purpose of settlement negotiations, the Parties request that the Board approve the foregoing Stipulated Motion to Suspend for Settlement Discussions.

Date: April 23, 2009

Respectfully submitted,

BAKER & HOSTETLER LLP

/s/ Brandt Gebhardt
Brandt W. Gebhardt (Ohio Bar No. 0079823)
3200 National City Center
1900 East 9th Street
Cleveland, Ohio 44114-3485
Tel: (216) 621-0200
Fax: (216) 696-0740
Attorneys for Opposer
Outback/Fleming's LLC

HUSCH BLACKWELL SANDERS LLP

/s/ David L. Rein [by consent]
David L. Rein (Missouri Bar No. 43411)
4801 Main Street, Suite 1000
Kansas City, MO 64112
Tel: (816) 983-8000
Fax: (816) 983-8080
Attorneys for Applicant
Fleming Corporation of Kansas

CERTIFICATE OF FILING

I hereby certify that the foregoing Stipulated Motion to Suspend for Settlement Discussions was electronically filed on April 23, 2009, through the Electronic System for Trademark Trials and Appeals.

/s/ Brandt Gebhardt

Brandt W. Gebhardt

CERTIFICATE OF SERVICE

A copy of the foregoing Stipulated Motion to Suspend for Settlement Discussions was served upon Applicant's counsel of record by U.S. Mail on April 23, 2009, addressed as follows:

Lara Dickey Lewis
Blackwell Sanders Peper Martin LLP
4801 Main Street, Suite 1000
Kansas City, MO 64112

An electronic courtesy copy of the foregoing was sent to drein@blackwellsanders.com and david.rein@huschblackwell.com.

039063, 000002, 502412068