

ESTTA Tracking number: **ESTTA329255**

Filing date: **01/28/2010**

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

Proceeding	91187268
Party	Plaintiff Detroit Tigers, Inc.
Correspondence Address	Elise Wolinsky Cowan Liebowitz & Latman 1133 Avenue of the Americas New York, NY 10036 UNITED STATES ecw@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Elise Kasell
Filer's e-mail	eck@cll.com, trademark@cll.com
Signature	/Elise Kasell/
Date	01/28/2010
Attachments	D and DUQUESNE Motion on Consent to Continue Suspension January 28, 2010.pdf (3 pages)(11877 bytes)

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

In re Application Serial No. 77/077,014; 77/077,010 and 77/077,003
Filed: January 5, 2007
For Mark: D and DUQUESNE
Published in the Official Gazette: May 6, 2008 and June 10, 2008

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DETROIT TIGERS, INC.,	:	
	:	Opposition No. 91187268
Opposer,	:	
	:	
v.	:	
	:	
DUQUESNE UNIVERSITY OF THE HOLY	:	
GHOST, DUQUESNE UNIVERSITY OF THE	:	
HOLY SPIRIT ,	:	
	:	
Applicant.	:	
	:	
-----X		

**MOTION ON CONSENT TO CONTINUE SUSPENSION OF THE PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order continuing the suspension of the proceedings in this matter for a period of three (3) months, until **May 5, 2010**. Applicant’s counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

Since the last continuation, Applicant’s counsel conferred with Applicant and provided its comments on the revised agreement to Opposer’s counsel. Subsequently, Opposer’s counsel sent a revised agreement to Opposer for its review. The additional time is requested for Opposer to review the revised agreement and to provide its comments to Opposer’s counsel on the revisions and for the parties to continue their negotiations in order to try to resolve any remaining

issues in connection with a settlement of this Opposition. If accepted, the settlement agreement would resolve this matter without the need to proceed with the Opposition.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York
January 28, 2010

COWAN LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: /Elise Kasell/

Mary L. Kevlin
Richard S. Mandel
Elise Kasell
1133 Avenue of the Americas
New York, New York 10036
(212)790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 28, 2009, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid, to Applicant's Correspondent and Attorney of Record, Christine R. Ethridge, Kirkpatrick & Lockhart Preston Gates, 535 Smithfield Street, Pittsburgh, Pennsylvania 15222-2393.

/Elise Kasell/
Elise Kasell