

ESTTA Tracking number: **ESTTA387999**

Filing date: **01/12/2011**

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 AVENUES 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	Robert Riether
Filer's e-mail	rar@cll.com, trademark@cll.com, eck@cll.com
Signature	/Robert Riether/
Date	01/12/2011
Attachments	1216364_2.pdf (3 pages)(11573 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

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

**MOTION ON CONSENT TO SUSPEND THE PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of three (3) months, until **April 12, 2011**. Applicant’s counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

The parties have made substantial progress towards a resolution of this matter. Since the last suspension, Opposer’s counsel has revised the agreement based on Applicant’s counsel’s comments and has forwarded the agreement to Opposer for its review. Opposer’s in-house representative is on maternity leave. The additional time is requested to allow Opposer to review and comment on the revised agreement after returning from maternity leave and for the revised agreement to be sent to Applicant’s counsel and for the parties to continue their

negotiations to try to resolve the 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 12, 2011

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

By: Robert Riether /

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 12, 2011, 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.

/Robert A. Riether /
Robert A. Riether