

ESTTA Tracking number: **ESTTA454676**

Filing date: **02/03/2012**

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 eck@cll.com, trademark@cll.com, jmn@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Mary L. Kevlin
Filer's e-mail	mlk@cll.com, trademark@cll.com
Signature	/Mary L. Kevlin/
Date	02/03/2012
Attachments	MOtion to Suspend Duquesne Feb. 3, 2012.pdf (3 pages)(24768 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.,	:	
	:	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 two (2) months, until **April 3, 2012**. Applicant’s counsel consented to this motion, which is requested to allow the parties to finalize settlement of this matter.

Since the last suspension, Opposer’s in-house counsel sent to Opposer’s outside counsel its comments to the latest version of the proposed settlement agreement, involving relatively minor points. Opposer’s outside counsel discussed those changes with Applicant’s outside counsel, revised the agreement and sent it to Applicant’s counsel. If acceptable, the parties plan to circulate execution copies of the agreement. The additional time is requested for Applicant’s outside counsel to confirm with Applicant that the agreement is in final form and then to

circulate the agreement for execution. 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
February 3, 2012

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

By: /Mary L. Kevlin /

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 February 3, 2012, I caused a true and correct copy of the foregoing Motion to Continue Suspension 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.

/Mary L. Kevlin /
Mary L. Kevlin