

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

cv

Mailed: August 21, 2012

Opposition No. 91195609

Minnesota Twins, LLC

v.

Minnesota Wild Hockey Club,
L.P.

Elizabeth A. Dunn, Attorney (571-272-4267):

For good cause demonstrated therein, opposer's consented motion (filed June 7, 2012) to continue the suspension of proceedings for settlement is granted. Proceedings herein are suspended until **September 7, 2012**, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

However, inasmuch as proceedings have been suspended for settlement for more than two years, and the parties have not yet reduced any agreement to writing, the parties cannot expect the same level of fruitless effort to result in continued suspension. More specifically, only in this single instance does the Board find good cause for continued suspension for settlement when the required report includes

no settlement offer, neither oral nor written, made by either party, and the sole settlement activity for three months is internal discussion. Discussions between counsel and client are only ancillary to bilateral negotiations, and what is required is interaction between the parties regarding substantive terms of settlement. Accordingly, the parties are reminded that there is a continuing obligation to provide good cause in the form of progress reports demonstrating bilateral settlement activity for any further extension or suspension request. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

Answer, conferencing, disclosure, discovery and trial dates are reset as follows:

Resumption Date	9/7/2012
Time to Answer	10/17/2012
Deadline for Discovery Conference	11/16/2012
Discovery Opens	11/16/2012
Initial Disclosures Due	12/16/2012
Expert Disclosures Due	4/15/2013
Discovery Closes	5/15/2013
Plaintiff's Pretrial Disclosures	6/29/2013
Plaintiff's 30-day Trial Period Ends	8/13/2013
Defendant's Pretrial Disclosures	8/28/2013
Defendant's 30-day Trial Period Ends	10/12/2013
Plaintiff's Rebuttal Disclosures	10/27/2013

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.