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

Proceeding	91196209
Party	Plaintiff Houston McLane Company, Inc.
Correspondence Address	CARISSA L ALDEN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES eck@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Elise Kasell
Filer's e-mail	eck@cll.com, jmn@cll.com, trademark@cll.com
Signature	/Elise Kasell/
Date	09/02/2011
Attachments	GAMEDAY MARKETING and Star Design Motion on Consent to Suspend September 2, 2011.pdf ( 3 pages )(11562 bytes )

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

In re Application Serial No. 77/693,781  
Filed: March 18, 2009  
For Mark: GAMEDAY MARKETING and Star Design  
Published in the Official Gazette: March 2, 2010

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HOUSTON MCLANE COMPANY, INC.,	:	
Opposer,	:	Opposition No. 91196209
	:	
v.	:	
	:	
A&V SPORTS INC. and DAC SPORTS, INC.,	:	
Applicants.	:	
-----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 two (2) months, until **November 2, 2011**. Applicants' counsel consented to this motion, which is requested to allow the parties to finalize settlement discussions.

Progress has been made toward a resolution of this matter. Since the last continuance, the parties have exchanged revised drafts of a proposed settlement agreement. More specifically, Opposer's in-house counsel sent Opposer's outside counsel comments on the revised settlement agreement and Opposer's outside counsel sent a revised agreement based upon such comments to Applicants' counsel. Thereafter, Applicant's counsel provided three proposed additional revisions to Opposer's outside counsel and Opposer's outside counsel sent a revised agreement reflecting Applicants' counsel's comments to Opposer's in-house counsel for review and

comments. The additional time is requested to allow Opposer's in-house counsel to review the revised settlement agreement and provide its comments to Opposer's outside counsel and for the parties to continue to negotiate the remaining issues in the draft agreement. 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  
September 2, 2011

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

By: /Elise Kasell/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on September 2, 2011, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid, to Applicants' Attorney of Record, David Lilenfeld, Lilenfeld PC, Suite 720, 2964 Peachtree Road, N.W., Atlanta, Georgia 30305.

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/Elise Kasell/

Elise Kasell