

ESTTA Tracking number: **ESTTA460549**

Filing date: **03/07/2012**

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

Proceeding	91196210
Party	Plaintiff AZPB Limited Partnership
Correspondence Address	ELISE KASELL COWAN LIEBOWITZ AND LATMAN 1133 AVENUE OF THE AMERICAS NEW YROK, NY 10036 UNITED STATES eck@cll.com, trademark@cll.com, jmn@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	03/07/2012
Attachments	DB (Rey) Motion on Consent to Continue Suspension March 7, 2012.pdf (3 pages)(12005 bytes)

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

In re Application Serial No. 77/840,190
Filed: October 2, 2009
For Mark: DB
Published in the Official Gazette: March 2, 2010

-----X	:	
AZPB LIMITED PARTNERSHIP,	:	
Opposer,	:	Opposition No. 91196210
	:	
v.	:	
	:	
BRANDON ALEJANDRO REY,	:	
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 proceeding in this matter for a period of sixty (60) days, until **May 6, 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, Applicant signed the finalized agreement and Applicant’s counsel forwarded the settlement agreement signed by his client to Opposer’s outside counsel who forwarded the executed agreement to Opposer’s in-house counsel. The additional time is requested to allow the parties to finalize settlement and file the relevant Motion pursuant to the finalized agreement with the Board. 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 until thirty (30) days after the suspension ends. 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
March 7, 2012

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 March 7, 2012, I caused a true and correct copy of the foregoing Motion on Consent to Suspend to be sent via First Class Mail, postage prepaid, to Applicant's counsel, Paul D. Supnik, Law Office of Paul D. Supnik, 9401 Wilshire Blvd., Beverly Hills, CA 90212.

/Elise Kasell/

/Elise Kasell/