

ESTTA Tracking number: **ESTTA616487**

Filing date: **07/18/2014**

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

Proceeding	91201083
Party	Plaintiff Minnesota Twins, LLC
Correspondence Address	ARYN M EMERT COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES ame@cll.com, jmn@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Aryn M. Emert
Filer's e-mail	ame@cll.com, jmn@cll.com, trademark@cll.com
Signature	/Aryn M. Emert/
Date	07/18/2014
Attachments	TWINS SPECIAL - MOTION TO SUSPEND - JULY 18 2014.pdf(11555 bytes)

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

Opposer, by and through counsel, hereby moves for an order to suspend the proceedings in this matter for a period of ninety (90) days, until **October 16, 2014**. Applicant's counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

Significant progress has made been made towards settlement of this matter. Since the institution of the proceedings the parties have had verbal and written settlement negotiations, have exchanged a draft settlement agreement, and have negotiated terms of the agreement. Specifically, since the parties last sought a suspension, Opposer's in-house counsel completed its review of the draft settlement agreement, and relayed its comments to Opposer's outside counsel. Opposer's outside counsel revised the agreement, and relayed the agreement to Opposer's in-house counsel for further review and consideration. Opposer's in-house counsel reviewed the revised agreement, and sent Opposer's outside counsel additional comments. Thereafter, Opposer's outside counsel revised the agreement, and sent the draft agreement to Applicant's counsel for consideration. Applicant and Applicant's counsel reviewed the agreement, and Opposer's outside counsel and Applicant's counsel had a lengthy settlement conference regarding the terms. The additional time is requested to allow Applicant's counsel to relay the terms discussed in the conference with his client, and for the parties to continue to work towards settlement of this matter. The parties believe they will timely resolve any open issues. If the agreement is accepted by both parties, there will be no 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 thirty (30) 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 in Opposition Proceeding No. 91209135 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
July 18, 2014

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

By: /Aryn M. Emert/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 18, 2014, 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 Attorney and Correspondent of Record, David M. Kohn, Lewis Kohn & Fitzwilliam LLP, 10935 Vista Sorrento Parkway, Suite 370, San Diego, California 92130.

/Aryn M. Emert /
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