

ESTTA Tracking number: **ESTTA554853**

Filing date: **08/19/2013**

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

Proceeding	91204727
Party	Plaintiff Athletics Investment Group LLC d/b/a The Oakland Athletics Baseball Company
Correspondence Address	ARYN M EMERT COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6799 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	08/19/2013
Attachments	THE FLYIN' A'S - Motion to Suspend - August 19 2013.pdf(12668 bytes)

Specifically, since the parties last sought suspension of the proceeding, on May 30, 2013, Opposer's outside counsel and in-house counsel have conferred regarding this matter a number of times, including on May 31, 2013, July 9, 2013, July 19, 2013, July 31, 2013, August 12, 2013 and August 15, 2013. Additionally, on August 14, 2013, August 15, 2013, and August 19, 2013, Applicant's counsel and Opposer's outside counsel conferred regarding the status of the matter.

The additional time is requested to allow Opposer to complete its review of the agreement, and for the parties to continue to work towards settlement of this matter. The parties note that they are jointly committed to reaching an amicable resolution. If the agreement is accepted, 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 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

[THIS SPACE IS INTENTIONALLY BLANK]

other periods should be reset accordingly.

Dated: New York, New York
August 19, 2013

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

By: /Aryn M. Emert/

Mary L. Kevlin
Richard S. Mandel
Aryn M. Emert
1133 Avenue of the Americas
New York, New York 10036
(212)790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on August 19, 2013, 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 and Correspondent of Record Lawrence A. Waks, Jackson Walker L.L.P., 100 Congress Ave., Ste 1100, Austin, Texas 78701-4042, with a courtesy copy to Raman N. Dewan at the same address.

/Aryn M. Emert/
Aryn M. Emert