

ESTTA Tracking number: **ESTTA524858**

Filing date: **03/05/2013**

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

Proceeding	91205411
Party	Plaintiff Virgin Enterprises Limited
Correspondence Address	SARAH E DALE NORVELL IP LLC 1776 ASH STREET NORTHFIELD, IL 60093 UNITED STATES OFFICEACTIONS@NORVELLIP.COM, SDALE@NORVELLIP.COM, cbeaker@norvellip.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Sarah E. Dale
Filer's e-mail	officeactions@norvellip.com, sdale@norvellip.com
Signature	/sed/
Date	03/05/2013
Attachments	130305 Joint Motion to Suspend 91205411 13353-174.pdf (4 pages)(591341 bytes)

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

In re Application No. 85/299486

Filed: April 20, 2011

Mark: CARBON VIRGIN

Published in the *Official Gazette* (Trademarks) on: April 3, 2012

VIRGIN ENTERPRISES LIMITED,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91205411
)	
MICHAEL CASEY,)	
)	
Applicant.)	

JOINT MOTION TO SUSPEND PROCEEDINGS FOR NINETY (90) DAYS

Pursuant to Trademark Trial and Appeal Board Manual of Procedure ("TBMP") § 510 *et seq.* and 37 C.F.R. § 2.117(c), VIRGIN ENTERPRISES LIMITED ("Virgin" or "Opposer") and MICHAEL CASEY ("Casey" or "Applicant") jointly move that the Trademark Trial and Appeal Board (the "Board") suspend the above-captioned opposition proceeding for ninety (90) days, for the purpose of facilitating the parties' continued settlement discussions.

Applicant and Opposer are currently engaged in settlement discussions of the above-captioned opposition proceeding, as well as Opposition No. 91194225, which involves the same parties and same marks. Specifically, since the previous suspension, the parties have exchanged terms of settlement and the parties are making progress toward resolution of this matter. As a result of these discussions, the parties believe further settlement negotiations may be beneficial.

The parties further agree that suspension of these proceedings so that the parties may focus their time and resources on settlement, as opposed to the taking of discovery in the above-captioned opposition and rebuttal testimony in the '225 opposition, will facilitate these mutually desired discussions. Last, the parties agree that neither party will be prejudiced by the granting of the suspension requested herein. Accordingly, the suspension is jointly sought with good cause and not for purposes of delay.

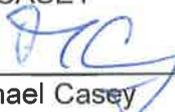
The parties therefore jointly move that the Board suspend all deadlines for an additional period of ninety (90) days and that the discovery and trial schedule be reset as detailed below:

PROPOSED SCHEDULE	
Initial Disclosures Due	June 9, 2013
Expert Disclosures Due	October 7, 2013
Discovery Closes	November 6, 2013
Plaintiff's Pretrial Disclosures	December 21, 2013
Plaintiff's 30-Day Trial Period Ends	February 4, 2014
Defendant's Pretrial Disclosures	February 19, 2014
Defendant's 30-Day Trial Period Ends	April 5, 2014
Plaintiff's Rebuttal Disclosures	April 20, 2014
Plaintiff's 15-Day Rebuttal Period Ends	May 20, 2014

Respectfully submitted,

Dated: 11 March / 2013

MICHAEL CASEY

By: 
Michael Casey

MICHAEL CASEY
AM TREPTOWER PARK 51
12435 BERLIN
GERMANY

Applicant

Dated: _____

VIRGIN ENTERPRISES LIMITED

By: _____
Sarah E. Dale

NORVELL IP LLC
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Attorneys for Opposer,
VIRGIN ENTERPRISES LIMITED

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing JOINT MOTION TO SUSPEND PROCEEDINGS has been served upon Michael Casey via email at mrc@sternacapital.net pursuant to the mutual agreement between the parties dated August 20, 2012, with a confirmation copy sent via first class mail, postage prepaid, addressed to:

MICHAEL CASEY
AM TREPTOWER PARK 51
2ND FLOOR LEFT
12435 BERLIN
GERMANY

Dated: _____

By: _____

Sarah E. Dale

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Attorneys for Opposer,
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