

ESTTA Tracking number: **ESTTA624277**

Filing date: **08/29/2014**

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

Proceeding	91205411
Party	Plaintiff Virgin Enterprises Limited
Correspondence Address	CRAIG A BEAKER NORVELL IP LLC 1776 ASH STREET NORTHFIELD, IL 60093 UNITED STATES OFFICEACTIONS@NORVELLIP.COM, cbeaker@norvellip.com, SDale@NORVELLIP.COM, jkoransky@norvellip.com
Submission	Motion to Suspend for Settlement Discussions
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Signature	/Jason M. Koransky/
Date	08/29/2014
Attachments	140829 Joint Motion to Suspend, Opposition No. 91205411.pdf(553018 bytes )

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

In re Application No. 85/299,486  
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 Applicant Michael Casey (“Casey” or “Applicant”) move that the Trademark Trial and Appeal Board (the “Board”) suspend the above-captioned opposition proceeding for ninety (90) days. During the time granted by the Board in the prior suspension of this proceeding, Virgin and Applicant have made significant progress toward settlement. After Virgin sent Applicant a draft settlement agreement on June 20, 2014, Applicant reverted on July 7 with comments on the agreement. Thereafter, the parties had several communications regarding details of the agreement, and on August 5 Virgin responded to all of Applicant’s outstanding questions regarding the agreement, as well as provided Applicant a revised draft of the agreement. Applicant is currently reviewing this revised draft of the agreement.

Because of the progress being made toward settlement, an additional suspension of this proceeding will be beneficial, as it will enable the parties to focus

their time and resources on settling this opposition rather than on discovery. The parties believe 90 days will be sufficient to finalize the terms of this agreement.

In light of the foregoing, Virgin and Applicant jointly move the Board to suspend all deadlines by 90 days and that the discovery and trial schedule be reset as follows:

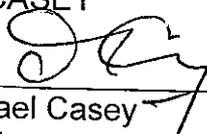
Initial Disclosures Due:	12/03/2014
Expert Disclosures Due:	04/03/2015
Discovery Closes:	05/04/2015
Plaintiff's Pretrial Disclosures:	06/17/2015
Plaintiff's 30-Day Trial Period Ends:	08/02/2015
Defendant's Pretrial Disclosures:	08/17/2015
Defendant's 30-day Trial Period Ends:	09/29/2015
Plaintiff's Rebuttal Disclosures:	10/14/2015
Plaintiff's 15-Day Rebuttal Period Ends:	11/12/2015

Respectfully submitted, stipulated, and agreed,

Dated: 28/08/2014

MICHAEL CASEY

By:

  
Michael Casey  
Am Treptower Park 51  
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Germany  
mrc@sterncapital.net

*Applicant*

Dated: 8/29/2014

VIRGIN ENTERPRISES LIMITED

By:

/Jason M. Koransky/  
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*Attorneys for Virgin Enterprises Limited*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing MOTION TO SUSPEND PROCEEDINGS FOR NINETY (90) DAYS has been served upon Michael Casey via email at [mrc@sternacapital.net](mailto:mrc@sternacapital.net) pursuant to the mutual agreement between the parties dated August 18, 2011, with a confirmation copy sent via first class mail, postage prepaid, addressed to:

MICHAEL CASEY  
AM TREPTOWER PARK 51  
12435 BERLIN  
GERMANY

Dated: August 29, 2014

By: /Jason M. Koransky/

Jason M. Koransky

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Attorneys for Opposer,  
VIRGIN ENTERPRISES LIMITED