

ESTTA Tracking number: **ESTTA508433**

Filing date: **11/30/2012**

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
Submission	Motion to Suspend for Settlement Discussions
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Signature	/Craig A. Beaker/
Date	11/30/2012
Attachments	121130 Micheal Casey Joint Motion to Suspend Proceedings for 90 Days.pdf ( 4 pages )(93092 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 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 actively engaged in settlement discussions of the above-captioned opposition proceeding, as well as Opposition No. 91194225, which involves the same parties and same marks. As a result of these discussions, the parties have made progress toward settlement and 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.

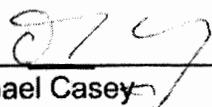
The parties therefore jointly move that the Board suspend all deadlines for an additional period of ninety (90) days and that the discovery and trial schedule be reset as detailed below:

PROPOSED SCHEDULE	
Initial Disclosures Due	March 11, 2013
Expert Disclosures Due	July 9, 2013
Discovery Closes	August 8, 2013
Plaintiff's Pretrial Disclosures	September 22, 2013
Plaintiff's 30-Day Trial Period Ends	November 6, 2013
Defendant's Pretrial Disclosures	November 21, 2013
Defendant's 30-Day Trial Period Ends	January 5, 2014
Plaintiff's Rebuttal Disclosures	January 20, 2014
Plaintiff's 15-Day Rebuttal Period Ends	February 19, 2014

Respectfully submitted,

Dated: 30/12/2011

MICHAEL CASEY

By:   
Michael Casey

MICHAEL CASEY  
AM TREPTOWER PARK 51  
12435 BERLIN  
GERMANY

Applicant

Dated: 11-30-12

VIRGIN ENTERPRISES LIMITED

By:   
Sarah E. Dale

NORVELL IP LLC  
1776 Ash Street  
Northfield, Illinois 60093  
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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](mailto:mrc@sternacapital.net) pursuant to the mutual agreement between the parties dated 8-20-12 with a confirmation copy sent via first class mail, postage prepaid, addressed to:

MICHAEL CASEY  
AM TREPTOWER PARK 51  
2<sup>ND</sup> FLOOR LEFT  
12435 BERLIN  
GERMANY

Dated: 11-30-12

By:  \_\_\_\_\_

Sarah E. Dale

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