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

Proceeding	91205982
Party	Defendant Fertitta Entertainment LLC
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Submission	Motion to Suspend for Settlement Discussions
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Date	09/24/2015
Attachments	Stipulated Motion for Suspension for Settlement - 91205982.pdf(158754 bytes)

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

FERTITTA HOSPITALITY, LLC

Opposer,

v.

FERTITTA ENTERTAINMENT, LLC

Applicant.

Opposition No.: 91205982

Mark: FERTITTA GAMING

Serial No.: 85-180,560

STIPULATED MOTION FOR SUSPENSION FOR SETTLEMENT

Pursuant to Trademark Rule 2.117(c), Applicant requests suspension of these proceedings for ninety (90) days, subject to the right of either party to request resumption of proceedings at any time prior thereto.

Applicant asserts that the parties remain engaged in settlement discussions that, if successful, will result in the termination of this proceeding. Suspension is requested in order to allow the parties to maintain the status quo pending the outcome of these settlement negotiations.

Additionally, Attorney for Applicant, Laura Bielinski of Brownstein Hyatt Farber Schreck LLP, having recently returned from an approximate ten-month medical leave of absence, will be taking primary responsibility for these proceedings and respectfully requests the ninety-day suspension to analyze the issues presented and formulate a strategy with her client.

As grounds in support of this motion and to show good cause, Applicant submits the attached report entitled *Status of Negotiations – Fertitta Hospitality, LLC v. Fertitta Entertainment, LLC*. (See **Exhibit A**).

Counsel for Opposer, William D. Raman of the firm Fleckman & McGlynn, PLLC has consented to this motion on its merits.

DATED: September 24, 2015

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/Laura Bielinski/

Laura Bielinski
Attorney for Applicant
Fertitta Entertainment, LLC

Exhibit A

Status of Negotiations – *Fertitta Hospitality, LLC v. Fertitta Entertainment, LLC*

1) When last settlement proposal was sent, by whom, and when a response is expected

After it became clear that the settlement proposal by Fertitta Entertainment, LLC ("FE") from the end of 2014 was not acceptable to Fertitta Hospitality, LLC ("FH"), counsel reconvened with their respective clients to formulate new settlement strategies. Since that time, counsel of record for FE, Kelley L Nyquist, has left on maternity leave. Her successor in this matter, Laura Bielinski, has recently returned from an approximate ten-month medical leave of absence, and is analyzing the issues presented by the proceedings and formulating a new settlement strategy with FE. On September 22, 2015, in furtherance of the parties' desire to continue settlement discussions, counsel for FH proposed a meeting between the principals of FE and FH. Counsel for FE is exploring the possibility of such a meeting.

2) Recitation of issues that have been resolved since the commencement of this proceeding

Because the parties recognize that the issues presented by these proceedings cannot be resolved on an issue-by-issue basis, counsel continues to explore settlement terms that would globally resolve the disputes subject to these proceedings.

3) List of issues that remain to be resolved


The parties continue to consider and formulate a set of settlement terms that would globally resolve the issues giving rise to these proceedings.

4) Timetable for resolution

In order to continue settlement discussions and allow counsel for FE to get up to speed on the issues presented by these proceedings and formulate a settlement strategy, the parties request a 90-day suspension.

Certificate of Service

I, Julie Obermeyer, hereby certify that a true and complete copy of the foregoing Stipulated Motion for Suspension for Settlement has been served on William D. Raman of the firm Fleckman & McGlynn, PLLC via email (as agreed upon) on September 24, 2015 to raman@fleckman.com.


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